

Licensing Sub-Committee

Tuesday 16 August 2016 at 10.00 am

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

The Press and Public are Welcome to Attend

Membership

Councillors David Barker (Chair), Neale Gibson and Bob Pullin

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.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. 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. 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.

FACILITIES

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

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

**LICENSING SUB-COMMITTEE AGENDA
16 AUGUST 2016**

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. Hackney Carriage and Private Hire Licensing - Individual Cases***
Report of the Chief Licensing Officer.

<p>*(NOTE: The report at item 5 above is not available to the public and press because it contains exempt information described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972 (as amended))</p>
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- 6. Licensing Act 2003 - Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield S2 4LT**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Agenda Item 5

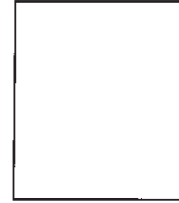
By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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SHEFFIELD CITY COUNCIL Committee Report



Report of:	Chief Licensing Officer, Head of Licensing
Date:	16 th August 2016 11am
Subject:	Licensing Act 2003 Application for the review of a premises licence
Author of Report:	Jayne Gough
Summary:	To consider an application for the review of a premises licence submitted by the Health Protection Service.
Recommendations:	That members carefully consider the application for review along with any other representations made and take such steps that the Committee consider necessary for the promotion of the Licensing Objectives
Background Papers:	Attached documents
Category of Report:	OPEN

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

Ref No 69/16

LICENSING ACT 2003

Review of Premises Licence

**Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road,
Sheffield, S2 4LT.**

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.

2.0 THE APPLICATION

- 2.1 The application is made by the Health Protection Service and was received by the Licensing Service on 21st June 2016.
- 2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-
- Public Safety
- 2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.
- 3.2 The Licensing Authority has, during the representation period received representations from the following:-
- | | | |
|----|---|--------------|
| a) | Sheffield Safeguarding Children's Board | Appendix 'B' |
| b) | Environmental Protection Service | Appendix 'B' |
| c) | South Yorkshire Police | Appendix 'B' |
| d) | Licensing Service | Appendix 'B' |
- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

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 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

- 5.5 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.

- 5.6 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 'D'.
- 6.3 Attached at Appendix 'D' 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; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnia

Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

Appendix A

The Application / Current Premises Licence

**Application for the review of a premises
licence or club premises certificate 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** Shiva Prasad, Manager- Health & Safety Enforcing Authority

apply for the review of a [premises licence under section 51]

**[club premises certificate under section 87] of the Licensing Act 2003 for the premises
described in Part 1 below**

Part 1 - Premises details or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description			
London Road Club, Turkuaz Bar & Grill 1 st Floor 178-184 London Road			
Post town	SHEFFIELD	Post code	S2 4LT
Telephone number (if any)	0114 2559411		
Name of premises licence holder or club holding club premises certificate (if known)			
Mr Huseyin Esendemir			
Number of premises licence or club premises certificate (if known)			
SY1805PR			

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

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

(2) Insert name(s) of applicant

Please tick ✓ yes

2) a responsible authority (please complete section (C) below)

✓ YES

3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname First names

I am 18 years old or over

Please tick ✓ yes

Current address
Post town Post code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

Name and address
Post town Post code

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address Health & Safety Enforcing Authority Environmental Regulation Sheffield City Council 5 th Floor North, Howden House 1 Union Street	
Post town Sheffield	Post code S1 2SH

Telephone number (if any)

E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The grounds for review are under Public Safety

London Road Club, Turkuaz Bar & Grill are a premises located above Ozman's Supermarket, London Road, Sheffield. Turkuaz Bar & Grill is a restaurant and bar overlooking London Road, and the London Road Club was set up to the rear of Turkuaz as a Community social club with a small capacity. Both operate under the same premises licence.

During visits undertaken in 2015, it became apparent that unauthorized works had taken place to the London Road Club with respect to Building Regulations, Planning and Licensing.

In April/May 2015, Michelle Hazelwood from John Gaunts Solicitors informed us that the premises were proposing to operate as a late bar and that a temporary event notice was being considered. From conversations over the phone I was under the impression that the 'proposed' area was referring to the London Road Club part of the premises.

A subsequent site meeting was held on site on 6/5/2016 with responsible authorities. During this meeting, I was shocked and disappointed to discover that all tables and chairs for dining had been removed from Turkuaz restaurant and the premises had been totally refurbished into a nightclub complete with a stage, DJ booth and a new VIP bar area. I was under the impression that we were going to be talking about future proposals. The London Road Club remained unchanged.

4

Please provide as much information as possible to support the application

(please read guidance note 2)

Turkuaz was designed as a restaurant, and licensed as a restaurant with a limited capacity of around 80 covers. The internal layout had been totally refurbished into a nightclub without any subsequent discussions or approvals including building regulations, planning and licensing. Mr Esendemir has been repeatedly informed in the past that the premises should not be changed without the appropriate approvals.

Mr Blanchard was introduced as a new business partner of Mr Esendemir during the meeting and stated that they were looking at a 150-200 capacity.

It also became evident that events had taken place prior to Mr Blanchard and there was a planned event for 7/5/2016. I informed Mr Blanchard that due to serious concerns that I would have to consider serving a Prohibition Notice. Mr Blanchard discussed privately with Michelle Hazelwood and confirmed that the event would not go ahead. It was agreed that we would receive written confirmation of this.

Whilst the event dated 7/5/2016 did not go ahead, it was very disappointing and concerning to learn that further events have taken place since at the premises.

At present the premises pose a risk to public safety.

By reason of the aforementioned matters and in the interest of public safety, it is felt that it is necessary and proportionate to request a review of the premises licence.

5

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them. No representation made in the past.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [*insert amount], 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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature



Date

21/6/16

Capacity *Manager*

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

THE LICENSING ACT 2003

Premises Licence No: SY 1805 PR

ISSUE NO: 6

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

London Road Club, Turkuaz Bar & Grill
1st Floor
178-184 London Road
Sheffield
S2 4LT

Telephone Number: 0114 2559411

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

1. Provision of regulated entertainment:

Films

Indoors

Sunday to Thursday 11:00 to 02:00 hours the following day
Friday and Saturday 11:00 to 03:00 hours the following day

Indoor Sporting Events

Indoors

Sunday to Thursday 11:00 to 02:00 hours the following day
Friday and Saturday 11:00 to 03:00 hours the following day

Live Music

Indoors

Monday to Sunday 11:00 to 00.00 Midnight

Recorded Music

Indoors

Sunday to Thursday 11:00 to 02:00 hours the following day
Friday and Saturday 11:00 to 03:00 hours the following day

Performances of Dance

Indoors

Sunday to Thursday 11:00 to 02:00 hours the following day
Friday and Saturday 11:00 to 03:00 hours the following day

2. Late Night Refreshment:

Indoors

Sunday to Thursday	23:00 to 02:00 hours the following day
Friday and Saturday	23:00 to 03:00 hours the following day

3. Sale by retail of alcohol

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

Sunday to Thursday	23:00 to 02:00 hours the following day
Friday and Saturday	23:00 to 03:00 hours the following day

The opening hours of the premises are

Sunday to Thursday	11:00 to 02:30 hours the following day
Friday and Saturday	11:00 to 03:30 hours the following day

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

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

PLEASE NOTE:

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

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

PART 2

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

Mr Huseyin Esendemir
212-214 London Road
Sheffield
S2 4LW

Telephone Number: 0114 2558365

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

N/A

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

Mark Blanchard
60 Woodseats Mews
Sheffield
S8 0SU

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

Personal Licence Number: SY 05890 PER
Issuing Authority: Sheffield City Council

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

Restricted

This Premises Licence shall be in force from the 25th November 2008.

Issued on: 15th December 2008.



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

Sheffield City Council – For Office use only	
Variation of Premises Licence	No: 2 Issue Date: 13 th October 2015
Variation of DPS	No: 3 Issue Date: 9 th June 2016
Transfer of Premises Licence	
Minor Variation	
Change of Name/Address	
Amendment to Premises Licence	
Review	
Summary Review	

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 Condition effective from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Annex 1C - Mandatory Conditions effective from 1st October 2014:

- 1.—(1) The responsible person must 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—
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
- (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 in a manner which carries a significant risk of undermining a licensing objective;
- (d) 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;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.—(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must 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;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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 except for the use of authorised gaming machines.
2. The use of door staff will be risk assessed on an on going basis by the licence holder or premises supervisor. Where engaged, door staff shall be licensed with the Security Industry Authority.
3. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
4. Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures.
5. There shall be a zero tolerance in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
6. The management of the premises will liaise with Police on issues of local concern or disorder.
7. The premises will support the local pub watch scheme where such scheme is in operation.
8. A suitable CCTV system shall be installed with recording facilities, such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the Police.
9. Any drinks promotions shall not be inconsistent with the need to promote responsible drinking.
10. To comply with the reasonable requirements of the Fire Officer.
11. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
12. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
13. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
14. Fire exits and means of escape shall be kept clear and in good operational condition.

15. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
 16. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises. Where appropriate the licensee or a suitable staff member will monitor patrons leaving at closing time.
 17. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
 18. Indoor sporting events shall be restricted to traditional pub type games.
 19. The Challenge 25 scheme will operate including the maintenance of a refusals log, prominent display of signage to the public and staff training records. Staff training will include how to identify and manage the risk of proxy purchase.
 20. Persons under the age of 18 years are not permitted at any time unless they are accompanied by a responsible adult and dining, or attending a pre booked private family type function.
 21. A responsible member of staff will be assigned to act as lead for safeguarding children systems at the premises. This person should act in compliance with the guidance and training provided by the Safeguarding Children Board.
 22. No drinks shall be allowed on the smoking terrace at any time.
 23. Notices to be displayed at the doorway providing access to the first floor external balcony confirming cessation of use at 23:00 hours daily.
 24. All doors and windows shall be closed save for access and egress, when amplified sound is present in the premises.
 25. The DPS or designated member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the external areas.
 26. Music should only be played within the building such that:
 - (i) Noise breakout from the building to the street should not exceed the ambient noise (where ambient* noise level by more than 3dB (A) when measured as 15 minute LAeq;
 - (ii) Noise breakout from the building to the street should not exceed the ambient* noise level in any octave band centre frequency by more than 3dB when measured as a 15 minute leq
- *Where ambient noise level is the LAeq, 15 mins in the absence of the specific noise source (Breakout from the premises)

27. The premises licence holder shall prominently display A5 notices in all external areas reminding patrons to be quiet whilst using the facilities provided and respect the local neighbour's needs
28. Use of the first floor smoking terrace will terminate at 23:00 hours thereafter, customers will be directed to smoke in the area to the entrance to the restaurant of the ground floor.

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

Annex 4 – Plans

The outlined red front area
London Road Club, 178-184 London Road
Drawing No: LP001 Rev. A
Dated: June 2012

Appendix 1

LICENSING ACT 2003

Premises Licence Summary ISSUE NO: 6

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

Premises licence number SY 1805 PR

London Road Club, Turkuaz Bar & Grill
1st Floor
178-184 London Road
Sheffield
S2 4LT

Telephone Number: 0114 2559411

Licensable activities authorised by the licence:

1. Provision of regulated entertainment:

Films

Indoors

Sunday to Thursday	11:00 to 02:00 hours the following day
Friday and Saturday	11:00 to 03:00 hours the following day

Indoor Sporting Events

Indoors

Sunday to Thursday	11:00 to 02:00 hours the following day
Friday and Saturday	11:00 to 03:00 hours the following day

Live Music

Indoors

Monday to Sunday	11:00 to 00.00 Midnight
------------------	-------------------------

Recorded Music

Indoors

Sunday to Thursday	11:00 to 02:00 hours the following day
Friday and Saturday	11:00 to 03:00 hours the following day

Performances of Dance

Indoors

Sunday to Thursday	11:00 to 02:00 hours the following day
Friday and Saturday	11:00 to 03:00 hours the following day

2. Late Night Refreshment:

Indoors

Sunday to Thursday	23:00 to 02:00 hours the following day
Friday and Saturday	23:00 to 03:00 hours the following day

3. Sale by retail of alcohol

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

Sunday to Thursday	23:00 to 02:00 hours the following day
Friday and Saturday	23:00 to 03:00 hours the following day

The opening hours of the premises are

Sunday to Thursday	11:00 to 02:30 hours the following day
Friday and Saturday	11:00 to 03:30 hours the following day

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.

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

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

Name, (registered) address of holder of premises licence:

Mr Huseyin Esendemir
212-214 London Road
Sheffield
S2 4LW

Telephone: 0114 2558365

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

N/A

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

Mr Mark Blanchard

Application Type: LA03_Application to Vary a Premises Licence

Unique Flare ID: 028529

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

Restricted

The Premises Licence shall be in force from 25th November 2008.

Issued on: 15th December 2008.



.....
Steve Lonnia

Chief Licensing Officer

Head of Licensing Services

On behalf of Sheffield City Council (issuing licensing authority)

Appendix B

Representations:

Sheffield Safeguarding Children's Board

Environmental Protection Service

South Yorkshire Police

Licensing Service

21

Hollis Georgina (CEX)



From: Palmer Helena on behalf of licensingservice
Sent: 15 July 2016 08:55
To: Gough Jayne (CEX); Hollis Georgina (CEX); Triandafillithis Julia; Marshall Shelley; Proctor Matthew; Rhodes Emma (CEX); Ruston Andy (CEX); Wragg Martyn (NCC)
Subject: FW: APPLICATION TO REVIEW THE PREMISES LICENCE: LONDON ROAD CLUB, TURKUAZ BAR & GRILL, 1ST FLOOR, 178 – 184 LONDON ROAD, SHEFFIELD S2 4LT
Attachments: London Road Club Turkuaz Bar and Grill.pdf
Importance: High

From: Hague Julie
Sent: 14 July 2016 17:32
To: licensingservice
Cc: 'Michelle Hazlewood'; Gibbons Sean (DEL)
Subject: APPLICATION TO REVIEW THE PREMISES LICENCE: LONDON ROAD CLUB, TURKUAZ BAR & GRILL, 1ST FLOOR, 178 – 184 LONDON ROAD, SHEFFIELD S2 4LT
Importance: High

For the attention of the Licensing Authority

This e'mailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by e'mail

Please be informed that I have made a representation on behalf of the Sheffield Safeguarding Children Board in relation to the above application. The representation is submitted to the Licensing Authority and is attached to this e'mail for the consideration of the Licensing Sub Committee.

Thank you.

Julie Hague
Licensing Project Manager, Sheffield Safeguarding Children Board
Floor 3,
Howden House, Union Street, Sheffield S1 2SH
0114 2736753
07854 219682
julie.hague@sheffield.gov.uk



14.7.16

The Licensing Authority
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Sheffield S9 3HD

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sirs

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE: LONDON ROAD CLUB, TURKUAZ BAR & GRILL, 1ST FLOOR, 178 – 184 LONDON ROAD, SHEFFIELD S2 4LT

I am writing on behalf of the Sheffield Safeguarding Children Board to make a Representation in relation to the above application. The reason for the Representation is that there is evidence that the premise has been operating as a late bar/night club hosting promoter events, meaning that the operation has significantly changed from the style and character for which it is licensed (a Turkish restaurant and community venue). The premise has recently been operating as a late bar/club hosting promoter/DJ events and during this time, concerns have escalated about the lack of management control and compliance with the law.

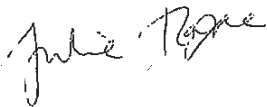
On 6th May 2016 I attended a multi-agency meeting with Ms Hazlewood, who is the legal representative of the licence holder Mr Esendemir and Mr Blanchard, the manager at the premise. A discussion took place about the changed style of the venue, the unauthorised changes to layout, the subsequent health and safety risks. Concerns were also discussed regarding future planned events, in light of the location of the premise and the consequences of an event in March 2016, when the police received a report that 150 people were fighting at the premises during an afro-caribbean event. At this meeting, Mr Blanchard was keen to discuss the future of the club under his management which would be an American community venue with a membership scheme. Mr Blanchard also referred to planned events that were scheduled to take place at the altered premises but gave assurances that events would be suspended until compliance had been achieved.

Continued .../

At that meeting I was concerned that there had been significant unauthorised changes which impact on the effectiveness and relevance of the licence conditions and that the licence holder had demonstrated a failure to maintain control of the premise to an extent that members of the public, including children and young people, would be at risk if accessing the venue.

To date, the Safeguarding Children Board remains concerned about the licence holder's disregard of compliance and that there is a lack of clarity about the style of operation at this premise. The Safeguarding Children Board therefore would ask that positive steps are taken to prevent children and young people from accessing the venue until the issues of management, compliance and style and character have been addressed.

Yours faithfully



JULIE HAGUE
Licensing Manager
Sheffield Safeguarding Children Board

Rhodes Emma (CEX)

From: Singh Bob
Sent: 19 July 2016 10:52
To: licensingservice
Cc: Michelle Hazlewood (MHazlewood@john-gaunt.co.uk); Gibbons Sean (DEL); CHERYL TOPHAM (Cheryl.Topham@southyorks.pnn.police.uk); Hague Julie; Khan Billy; Wilson Abby (DEL); Rhodes Emma (CEX); Hollis Georgina (CEX)
Subject: Ref: 577276 - Review of Premises Licence/ Formal EPS Consultation Response - London Road Club, Turkuaz Bar & Grill, 1st Floor 178-184 London Road, S2 4LT

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

Dear Licensing Service,

The Environmental Protection Service (EPS) has the following representation to make with regards to the review of the premises licence of the London Road Club, Turkuaz Bar & Grill, 1st Floor 178-184 London Road, S2 4LT. Such is based on the aspects of the 2003 Licensing Act Objective for The Prevention of Public Nuisance.

The proposed is located in a mixed commercial and residential area with relatively low background noise levels throughout the late evening. This service has received several of complaints from local residents since September 2014 about loud music during your regulated entertainment events, patrons outside the premises and breach of permitted Planning and Licensing operating hours.

The EPS is aware the premises are operating as two separate venues, a private members club and restaurant. The EPS was notified by the Local Planning Authority (LPA) on 18/04/16 that significant structural alterations to the restaurant have taken place to form a late bar/ nightclub. Following such, a meeting was held on 06/05/16 between all Responsible Authorities (RA's), the Designated Premises Supervisor (DPS), Mark Blanchard, and legal representation, Michelle Hazelwood of John Gaunt Solicitors, to discuss this matter in further detail.

The EPS inspected the premises and noted the internal fabric of the building has significantly altered from a restaurant use to form a late bar/ nightclub use i.e. installation of DJ booth, large PA system, dance floor, raised dancing platform and vertical bar area. As such there is an enhanced potential for licensed activity at the premises to give rise to complaints relating to public nuisance.

In particular, the EPS is concerned that residents and commercial uses in close proximity and adjoining buildings will potentially be affected by excessive noise disturbance by both noise breakout from regulated entertainment and patrons using the external areas until the early hours of the morning. Such includes people's voices, talking, laughing and shouting when using mobile phones, access/ egress, consuming beverages and/ or smoking. Vehicles arriving, parking and departing may also intensify noise levels causing more annoyance. The floor/ceiling and party wall structures between these uses are a potential breakthrough point for noise.

The EPS offered proactive advice on noise control and recommended the DPS should seek professional advice on a scheme of sound attenuation works to improve the fabric of the building and shall be based on the findings of an approved noise survey. Following the above meeting and concerns raised by the RA's, the DPS agreed to cancel all proposed future events until individual RA matters have been addressed.

Further the above meeting, this service is continuing to receive complaints of noise breakout of amplified music, patrons outside the premises and breach of permitted Planning and Licensing operating hours. It is apparent that further events have taken place at the above premises; management has failed to comply with conditions of the premises licence and satisfy the requirements of the EPS.

The EPS would recommend that regulated entertainment is removed from the premises licence and the operating hours are restricted to be consistent with conditions granted under Planning Consent 08/05805/CHU (use of 1st floor as a private members/ function room and meeting rooms).

In light of the above, to assist in achieving the licensing objective relating to The Prevention of Public Nuisance, the EPS would recommend the following restriction in hours and conditions be applied to any favourable determination (in addition to conditions 15, 16, 17, 23, 24, 25, 26, 27 and 28 of the current premises licence, issue no. 3):

Hours

- A. Section O (hours open to the public) to be amended as follows: 09:00 to 23:30 hours on any day.
- B. All licensable activity to be amended to finish 30 minutes prior to point A above

Conditions

1. No live music or amplified sound shall be played within the building unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:
 - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey
 - b) Be capable of restricting noise breakout from the commercial use to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.
 - c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
 - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

2. Before live music or amplified sound is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Environmental Protection Service. Such Validation Testing shall:
 - a) Be carried out in accordance with an approved method statement.
 - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Environmental Protection Service. Such further scheme of works shall be installed as approved in writing by the Environmental Protection Service before live music or amplified sound is commenced and shall thereafter be retained.
3. No amplified sound shall be played in the premises except through an in-house amplified sound system fitted with a sound limiter. The settings of which shall have received the prior written approval of the Environmental Protection Service.

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

Regards Bob

Bob Singh
bob.singh@sheffield.gov.uk
Environmental Protection Officer
Environmental Protection Service

Sheffield City Council
5th Floor (North)
Howden House
1 Union Street
Sheffield
S1 2SH

Tel +44 (0)114 273 4651 (Admin)
Direct +44 (0)114 273 4658
Mob +44 (0)7736 362322
Internal 34658

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South Yorkshire
POLICE



Sheffield City Council Licensing
Block C
Staniforth Road Deport
609 Staniforth Road
Sheffield
S9 3GZ

Date: 14th July 2016

Dear Sir / Madam,

Re: Licensing Review – TURKUAZ / LONDON ROAD CLUB

Please find attached papers which are representation from South Yorkshire Police in relation to the current review submitted by Health and Safety Enforcing Authority.

Yours Sincerely

C. J. Topham

Cheryl Topham
South Yorkshire Police Licensing Team
Force Headquarters
Carbrook House
Carbrook Hall Road
Sheffield
S9 2EH

Tel – (0114) 2523163

BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

**TURKUAZ / LONDON RD CLUB, 178-184 LONDON RD
Mr Huseyin ESENDEMIR (PLH and DPS)**

Respondent

WITNESS STATEMENT OF

Cheryl Topham

I am the Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, Sheffield. I have been in my current role as Licensing Enforcement Officer for South Yorkshire Police for approximately 10 months. The premises named as Turkuaz was first brought to my attention in March 2016 due to an incident of disorder and subsequently I have made further enquiries of police records available to me in connection with these premises. It was soon after this incident that the Responsible Authorities, including South Yorkshire Police, were invited to a meeting at the premises to discuss a change of usage at the Premises. The following matters have come to the attention of South Yorkshire Police.

- 1 At 02:28 on 28th March 2016, a call was made to South Yorkshire Police reporting a huge fight at the premises and sounds of disturbance. A staff

member also called to say there was between 80-100 people fighting with glasses being thrown. There was also mention of someone having a knife. There then proceeded to be multiple calls to the police regarding this incident.

- 2 After the incident on 28th March, my colleague Andrea Marsden tried on numerous occasions to speak with Mr Esendimir or the DPS at the time Mr Colak over the phone. She also attempted to visit the premises but found it closed both times she attended.
- 3 Social Media was also checked for details of the event/incident from 27th/28th March 2016. I have print offs from Social Media relating to this which will be available at the Review Hearing should the board wish to view them.
- 4 In April 2016, I received a phone call from Michelle Hazlewood, John Gaunts Solicitors informing me that the premises was proposing to operate as a late bar and that until the license has been varied a Temporary Event Notice was to be considered for an upcoming event. I had concerns with this as the TEN said the event would have a finish time of 6am. After consulting with the Inspector for that area we decided we would object should this TEN be submitted. I also consulted with Bob Singh, Environmental Protection Service, who stated he would be objecting too. Once I advised Michelle Hazlewood of this she said her client would not be submitting a TEN to open until 6am. The current license is for a restaurant with capacity of 80, sale of alcohol up to 0300 and closing time of 0330.

5 On the 6th May 2016 I attended a site meeting which had been organised by Michelle Hazlewood, on behalf of her client, Mark Blanchard. Mr Blanchard had already started renovating the premises into a late night bar looking at a capacity of 150-200 people. He was going to be working with Mr Esendemir on a new project to turn the restaurant into a late night bar/club. Present at the meeting was myself, Michelle Hazlewood (solicitor), Mark Blanchard (New Business partner), Sean Gibbons (Health and Safety), Bob Singh (Environmental Protection Services Noise Team), Julie Hague (Safeguarding Childrens Board), Abbey Wilson (Planning Dept), Acting Sgt Samantha Cooper (Local Policing Team Sgt). It came as a complete surprise to all the Responsible Authorities to discover the restaurant had been totally refurbished into a nightclub complete with a new bar area, stage, DJ Booth and large speakers, without having this meeting first. The refurbishment had gone ahead without any discussions with Responsible Authorities in relation to building regulations, licensing and planning. It was quite clear that Responsible Authorities have had similar issue with Mr Esendemir in the past with these premises and he has been told before that there should be no changes without the appropriate approvals.

Mr Blanchard explained he had already put £20,000 investment into the club which had paid for the renovations up to now. He saw the venture as an American Style bar showing American sporting events in the day and a late night bar in the evening with events at weekends to bring in more custom. All Responsible Authorities expressed their concerns which then

led on to myself and A/Sgt Samantha Cooper explaining the concerns from the Police.

We spoke to Mark about the issues in the area regarding crime and anti-social behaviour. There had been an Event at the venue on 28th March 2016 where police were called to a report of disorder. There were approx 150 people said to be fighting. Mark didn't seem to know anything about this event and said it was before he was involved in the business. Sgt Cooper explained about the 'gang' culture in the area and how other new businesses have experienced problems with them when opening. I explained that the type of music events he was advertising were likely to attract a certain type of clientele which had potential for disorder, attracting gang members with weapons and drugs.

However, Mark agreed to the following conditions which South Yorkshire Police would be seeking as a minimum:

- *SIA registered door staff to be used from 9pm or 11pm onwards. He stated at weekends he would employ 4/5 door staff with search policy in place.
- *Safety glass to be used except in the VIP lounge although not shot glasses.
- *Drugs box to be installed and used.
- *CCTV to South Yorkshire Police specification to be installed and used when the premises is open.
- *SYP violent protocol to be used and on display for all staff to see.
- *No person allowed to leave the premises with any drinking vessel whether empty or full.

*Zero tolerance to drugs and regular checks to be made around the premises.

*Refusals log / Incident logs to be used.

Mark was to be hosting an event the following day 7th May 2016 but after this meeting he agreed, on the request of Responsible Authorities, not to open for any events until he had completed works requested by Health & Safety and Environmental Protection Services Noise Team. He was told that if it were to open then Enforcement action would be taken.

The next event he was advertising was 29th May 2016. He was advised to take all the necessary steps before then and to keep communications with the Responsible Authorities open. If all in agreement he may be in a position to go ahead with the event. He was very disappointed after being told this but we were assured he wouldn't go against the advice of the Authorities.

- 6 There was a visit made to the premises at 0050 on 22nd May 2016 by Police Officers to check if they were open as there had not been any communication from Mr Blanchard or Michelle Hazlewood about the progression of work to be completed. Officers found the club closed.
- 7 On the 10th June 2016 it was brought to my attention that the premises was opening now for events without the Authorities being consulted. Mr Blanchard had not been in touch with any of the Authorities therefore no confirmation that any of the requested work had been carried out to make the premises safe and suitable for its usage. Despite assurances from Mark an event did take place on 29th May 2016 and photos from the event

have been printed from social media with further events advertised for 10th and 11th June 2016. These photos will be available at the Review Hearing should the board wish to view them. I advised all other Responsible Authorities of the above along with Sheffield City Council Licensing Dept.

- 8 On the 13th June 2016 I had a conversation with Georgina Hollis, SCC Licensing Dept who confirmed they had visited the premises on Friday 10th June between 2340-0010. The club was open with 2 x Door staff working and Mr Blanchard was present. He explained to her that he had some of the work completed by professionals but he couldn't provide Georgina with any certificates to prove this. There were only 3 customers in at this time but it was clear he was expecting more. She reminded him of advice he had been given and as he hadn't provided any proof of the work he had done to rectify these issues then he shouldn't be opening. She also told him this visit would be recorded and passed to all Responsible Authorities. She also advised me that her colleague Jayne Gough attended on Saturday 11th June 2016 at 1130 and 0200 and confirmed it was closed.
- 9 Also on 13th June 2016 South Yorkshire Police received notification of Mark Blanchard becoming DPS at the premises
- 10 On the 16th June 2016 a meeting was arranged with Responsible Authorities and SCC Licensing Dept to discuss the way forward with this premises. As I could not attend this meeting due to other commitments, Sgt Matt Burdett attended on my behalf. It was decided at this meeting that an application to review the premises license would now be submitted by Health and Safety. There was also potential for a Prohibition notice to be

served by Health and Safety on the premises to prevent further opening of the premises.

11 At 12:00 on 22nd June 2016 I attended the premises along with A/Sgt Samantha Cooper in an attempt to gain CCTV footage of the event held on 28th/29th May 2016. The premises appeared to be locked up. However, after a short time Mark Blanchard arrived. This was the first time he had visited the premises since the signs had been displayed by Sheffield City Council regarding the Application to Review the Premises. He was obviously shocked to see these and was not familiar with what it meant. He took us into the premises through a rear door where I firstly explained the Application to Review the License and what it meant for him and Mr Esendemir. He said at this point he was think of giving up on this premises as he felt obstacles were being put in his way all the time. I explained again the reasons why this situation has got where it has. We then went on to discuss the CCTV. He said the system was in a locked room to which he didn't have access. He eventually found a key for the room, which was through the manager's office. However, once in the room we discovered the CCTV system was in the loft which was accessed via a metal step ladder. He also said that even if he went up there he didn't know how to use it. He said the only person who knew how to work it was Mr Esendemir, who was on holiday until 30th June 2016. I explained that this wasn't acceptable and that we couldn't check whether the CCTV was working due to where it was kept and it raised concerns over the safety of any person having to check the CCTV system. He said we could go up there should we wish but there might be rats up there. We both declined

and said where the CCTV is located is not appropriate and this should be looked into being moved straight away. At this time, I feel the license condition concerning the CCTV requirements is being breached.

12 On 29th June 2016, South Yorkshire Police received notification that Mark Blanchard was no longer DPS at the premises. Currently there is no DPS at the venue.

13 On 5th July 2016 South Yorkshire Police received notification that Mr Esendemir, the Premise License Holder, was now the DPS at the premises.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed... *C. J. Topham*

Dated... *14/7/16*

RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of Samantha Jayne Cooper

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: A/PS 3345.....

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature S J Cooper..... *S. J. Cooper*..... *APS 3345*..... (Witness) Date: 11/07/2016..

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Acting Police Sergeant for South Yorkshire Police based at Woodseats Police Station, Sheffield.

My current role is Support Sergeant on the South West Local Policing Team with responsibility for problem solving around quality of life issues, community safety and Anti-social behaviour in South West area of Sheffield including the Sharrow, Highfield's, Nether Edge and Abbeydale areas of the Sheffield. One of my main areas of responsibility is to address Anti-Social Behaviour, Crime and Disorder within this area. I also work closely with representatives from partnership agencies and the community in the area.

The Turkuaz bar / Yankee Lounge is located within the area I cover at 178 London Road which is a main Road in the Sharrow area of Sheffield. This road consists of mainly of shops and restaurants with residential flats and housing above and behind. The area is heavily populated, with a very diverse community and in terms of local policing intelligence and knowledge it is known to be currently associated with gang related violence, drug dealing, anti-social behaviour and recent high levels of crime and disorder. These include several recent reported stabbings and firearms incidents in the area. A dedicated team of officers are working in the area, attempting to resolve these issues. During the bonfire period 2015 this area was also subjected to issues of serious disorder.

Signature: *S. J. Cooper*..... *APS 3345*..... Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: Samantha Cooper.....

Licence premises within the area are known as places where gangs gather and a place where drug dealing and other criminality generally take place. When officers are deployed to Public Houses across the city, we risk assess each deployment and these have a considerable impact on policing resources. We therefore work closely with licence holders to give clear direction and ensure a robust stance in relation to licence conditions and crime and disorder at licence premises.

At 2.25am on Monday 27th March I was A/Police Sergeant on duty when numerous calls were received regarding a large disturbance at the premises. A disturbance could be heard in the background of these calls and one male stated that someone was trying to kill him and a further call from a member of staff at the premises stating 80-100 were fighting and were using glass bottles and a knife. Upon arrival at the premises officers were confronted by a large group of people in the street, who were exiting the club down a staircase at the side. As a result of further assistance being requested, I attended at the location and would describe the group as very agitated and uncooperative. Despite working regularly in the area for the past 2 years I did not recognise any of the people present. Upon entering the premises which was initially difficult, due to the large number of people exiting down the staircase, I spoke with staff who stated that 'things had just got out of hand' and they were now closing. The club was nearly empty and no complaints were made by any persons present. As a result of this incident due to the high tensions and concerns that the incident would escalate I remained in the area together with other officers including the public order van from the city centre.

Information has also been received from a member of the local community, that on the 27th March following this event after the restaurant had closed, in the early hours of the morning he had been seen a customer from the premises carrying a gun, although this information has not be corroborated. It has however obviously led to increased concerns within the community.

Signature: S. J. Cooper APS Signature Witnessed by:
3245 Page 67

Continuation of Statement of: Samantha Cooper

Page 3

Despite attending a multi-agency meeting with a representative from the premises in relation to the event held, where he was advised that the premises were unsuitable in their current condition for events of this nature, further information was received from links in the community that further events of a similar nature were being advertised. Upon checking facebook I viewed over 124 photos, showing images of a further large event that had taken place at the premises on the 29th May and advertisements for future events. I have copied some images which I can exhibit and produce if required.

As a result I conducted a licensing check at the premises and requested to check their CCTV system, however I was advised that this could only be checked by climbing a ladder into the loft. They were advised as this was a condition of their licence that this was unsuitable and a request was made for them to recontact the police once the footage has been downloaded. We are still awaiting confirmation that this has been completed.

As a further measure the Police and Local Authority are now also applying for a 'Public Space Protection Order' in the area as a further means of addressing the issues highlighted. The proposal is currently subject to public consultation and has received considerable support from the community, in their desire to assist reduce crime and disorder in the area.

I am now becoming increasingly concerned that the licence holder is not properly managing the events, which are being held there under the terms of the licence. Should a serious incident take place at the premises my concerns for officers attending, are that they do not have suitable provisions for health and safety measures in place that would allow medical staff or the police to safely enter the premises and deal appropriately.

Signature: S. Z Cooper APS Signed by:

3345

RESTRICTED (when complete)

Continuation of Statement of: Samantha Cooper.....

I maintain a robust approach to licensing as a poorly managed licence will have a considerable impact on the community.

Signature: S. J. Cooper APS Signature Witnessed by: 3345.....

RESTRICTED (when complete)

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



19th July 2016

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE: LONDON ROAD CLUB,
TURKUAZ BAR & GRILL, 1ST FLOOR, 178-184 LONDON ROAD, SHEFFIELD, S2 4LT

I am writing as the Licensing Authority as the Responsible Authority under the Licensing Act 2003 to support the above application for the review of the premises licence submitted by the Health Protection Service on 21st June 2016 on the grounds of the core objectives relating to the Licensing Act 2003:

- The prevention of crime and disorder;
- Public safety;

The Licensing Authority are supportive of the application for review as there is evidence that the premises have been operating as a late bar/club hosting events which has significantly changed the building use from a Turkish Restaurant and Community Venue and the terms on which the licence was originally granted.

On 9th May 2016, I was notified by a telephone call from Bob Singh, Environmental Protection Service that significant alterations had been made to the internal front area of the premises changing the venues operation style and layout significantly without the submission and authorisation of a variation to the premises plans.

As a consequence of this telephone call, a letter was sent to the Premises Licence Holder, Mr Huseyin Esendemir and a copy was emailed to Michelle Hazlewood at John Gaunt & Partners on 12th May 2016 explaining that the Licensing Service had been notified that internal changes had been made. The letter also explained that information had been received concerning Mr Blanchard's position at the premises and that the Licensing Service had been notified that the premises may have been subleased to Mr Blanchard and that the front area of the premises may be run separately to the Club side of the premises at the rear of the building and that if this was the case that a separate licence may be required.

A number of events had been advertised on social media such as Facebook for events taking place following the above meeting.

Following the receipt of email confirmation from South Yorkshire Police at 14:08 hours on Friday 10th July 2016 (copy enclosed), I and my colleague, Julia Triandafillithis visited the premises during the evening at approximately 23:20 hours and made note that the premises were open to members of public. As we approached the venue and asked to speak with the manager we were greeted by a male who gave his name as Mr Mark Blanchard. During the visit I advised Mr Blanchard that the Licensing Service had sent a letter to the Licence Holder and solicitor concerning the unauthorised works that had been made at the premises. Mr Blanchard advised me that he had invested a lot of money into the premises and had a structural engineer out to carry out a test / inspection of the floor for safety and employed a noise surveyor. Mr Blanchard was unable to present me with any confirmation of these works

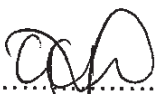
and diverted away from my questions with regards to involvement of the business other than being Designated Premises Supervisor authorising alcohol sales.

On walking around the premises I could clearly see that substantial internal changes had been made to the premises layout and the decoration inside the premises had been changed to an American Bar Style theme with the name 'Yankee Lounge' painted in blue red and white stripes. The internal changes were to the front part of the premises which was known to be the restaurant area. I could see that an elevated DJ booth had been erected to the far wall of the premises with DJ playing loud music; a sectioned off VIP bar area had also been added to the room and was set back to near where the kitchen area would have been previously. The room was dimmed with flashing disco lights and all tables and chairs had been removed from the entire room to create a stand up drinking establishment with dancing area. A staged area had also been erected in front of the windows.

I can confirm that over the years I have dealt with Mr Esendemir concerning the above premises to address complaints/allegations received concerning breaches to the premises licence and noise nuisance. I have attended several meetings with Mr Esendemir and his solicitor that he has been repeatedly informed that he must notify the Licensing Service by way of appropriate application and formal consultation with responsible authorities to vary the licence hours, plans or conditions prior to any alterations or changes being put in place. In this case, the service has received no prior warning to any of the changes made even following correspondence to the premises.

As a result of the unauthorised changes and opening the premises up to member of the public without receiving prior approval from the necessary Responsible Authorities and the concerns related to public safety, the Licensing Service has invited Mr Esendemir to attend an interview under caution on Thursday 28th July 2016 under the Police & Criminal Evidence Act 1984 for offences under the Licensing Act.

By reason of the aforementioned points that have been made and in light of the review application, the Licensing Authority feel it necessary to support the review application made by the Health Protection Service in this case.



.....
Georgina Hollis
Licensing Enforcement & Technical Officer

RESTRICTED

Ref No:

[]

Witness Statement

(CJ Act 1967, s.9;MC Act 1980, ss.5A(3)(a) and 5B;MC Rules 1981, r.70)

Crime Ref No:

[]

URN:

[]

Statement of Georgina Hollis

Date of Birth: Over 18

Occupation: Licensing Enforcement & Technical Officer

This statement (consisting of: 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated: 13/06/2016

Signature: 

Tick if witness evidence is visually recorded (supply witness details on rear)

I am employed by Sheffield City Council, in the Licensing Section, Place Portfolio. As part of my duties I enforce Legislation under the Licensing Act 2003.

On Monday 9th May 2016 I was informed that a visit had taken place on Friday 6th May 2016 at the London Road Club, Turkuaz Bar & Grill, 1st Floor 178-184 London Road. I was informed by Environmental Protection Officer, Bob SINGH that he had attended a meeting at the club and confirmed to me that significant unauthorised alterations had been carried out internally at the premises changing the premises from a restaurant to a latebar/night time venue with no provisions to operate as a restaurant style premises.

On Thursday 12th May 2016 I sent a letter to the Premises Licence Holder who I know to be Mr Huseyin Esendemir at the registered address of 212-214 London Road, Sheffield, S2 4LT. The letter explained that through these alterations taking place, if the premises were to be used for licensable activities that Mr Esendemir would be committing offences under the Licensing Act 2003 for unauthorised alterations.


Mr Esendemir was advised to contact the Licensing Service. A copy of the letter was forwarded to Responsible Authorities and the Licence Holders Solicitor by email, I exhibit a copy of the letter GH1.


On Friday 10th June 2016, I was carrying out my enforcement duties with my colleague Julia TRIANDAFILLITHIS. At approximately 23:20 hours, we approached the London Road Club to check if the premises were closed following my letter. As we approached, we spoke to 1 male and 1 female member of door staff at the venue and asked to speak to a member of management. The door staff radioed for a member of management to come to the downstairs entrance where we were stood.

We were approached by a male who introduced himself as Mr Mark BLANCHARD. Mr BLANCHARD confirmed that he was managing the premises. I asked if we could have a look around the premises to which he agreed. On entering the premises I could clearly see that the operation set up of the premises had changed from a restaurant style premises to what seemed to be a night time drinking establishment, the lights were dimmed low, I could hear loud music and see flashing disco lights as I walked up the stairs. As we went to the office at the rear of the premises I explained that we were visiting having not received a response from my letter to Mr Esendemir. Mr BLANCHARD explained that he had invested a lot of money into the premises and that he was managing the venue with a view to taking the premises over. I explained to Mr BLANCHARD that the authorities were concerned that unauthorised works had been carried out at the premises and that following the meeting that took place on Friday 6th May 2016, I was visiting the premises to check the changes that had been made. Mr BLANCHARD stated that he had cancelled an event that was due to take place on Saturday 6th June 2016 and that he had a structural engineer to carry out test/inspection on the floor for safety and employed a noise surveyor. Mr BLANCHARD was unable to present me with any certificate to confirm this whilst I was present. Mr BLANCHARD diverted away from the questions that I asked him during my visit concerning Mr Esendemirs position at the premises.

I asked to look around the premises, Mr BLANCHARD escorted myself and my colleague around the premises. Whilst looking around I could see that there was a male in the premises and a male in the DJ box on the far right wall. I made note that the decoration inside the premises had been changed to an American Bar Style theme and the name 'Yankee Lounge' was painted in red white and blue stripes on

the wall. All tables and chairs had been removed from the front part of the premises to create a stand up drinking establishment, a stage had been erected, a new bar area and DJ box with DJ playing loud RnB/pop music was positioned on the far back wall and the kitchen area had been completely removed from the licensed area. During the visit I could not see that there were any menu's for food available. As we left the premises at approximately 23:40 hours the premises were still open to the public.

Signature: 

Signature Witnessed by: 

L67

Statement of Witness

C J Act 1967,s.9MC Act 1980,ss5A(3) (a) and 5B; MC Rules 1981,r70

Statement of Julia Triandafillithis

Date of Birth Over 18

This statement, consisting of 1 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 20th June 2016

Signed  Signature witnessed by 

I am Julia Triandafillithis; I am employed by Sheffield City Council as a Licensing Enforcement and Technical Officer. As part of my duties I am responsible for the licensing of premises under the Licensing act 2003 and enforcement of the same.

On Friday the 10th of June 2016 I was carrying out enforcement duties with my colleague Georgina Hollis.

At 23:20 hours we approached the London Road Club to check if this premise was open for business.

We approached and were greeted by one male and one female door staff. GH asked to speak with the manager. The door staff radioed for the manager to come down to the entrance, where we were stood.

The manager came down and introduced himself as Mr Mark Blanchard. GH asked if we could take a look around the premise, to which he agreed.

When we entered I could hear loud music playing. On closer inspection the premise was now operating as a bar/night club and not the restaurant it was.

We were escorted by Mr Blanchard to the office at the rear. Once inside the office Mr Blanchard explained to Georgina and myself that he had invested money into the business with a view to take over the premise. He also stated that he wanted to make this into a member's only club.

GH went on to explain that the responsible authorities were concerned that unauthorised works had been carried out at the premise.

Mr Blanchard explained that he had had a structural engineer out to inspect the safety of the floor and a noise surveyor had also been employed. Mr Blanchard could not produce any documents from either of the surveyors.

GH asked about Mr Esenemir's position in the company and Mr Blanchard avoided answering these questions.

We were shown around the premise and my colleague GH made notes of the changes. The premise now had an American theme and was decorated in red, white and blue. There was a DJ in a booth playing loud R and B/pop music.

We left the premise at 23:40 hours and it was still open to the public.

Signed:  Signature Witnessed By: 

Signed  Page 76
Signature witnessed by 

Appendix C

Hearing Notices



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Mr Michelle Hazelwood
John Gaunt Solicitors

Sent by e-mail to smccourt@john-gaunt.co.uk

The Sheffield City Council being the licensing authority, on the 21st June 2016 received an application for a review of Premises Licences in respect of premises known as **Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.**

During the consultation period the Council received representations from the Health Protection Service, South Yorkshire Police Licensing, Safeguarding Children's Board, the Environmental Protection Service and the Licensing Service.

The Council now GIVES YOU NOTICE that the review 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 **Tuesday the 16th August 2016 at 11am**; following which the Council will issue a Notice of Determination of the Application for Review. The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 application for review, 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 the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 29th July 2016

Signed 
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Shiva Prasad & Sean Gibbons
Health Protection Service

Sent by e-mail to shiva.prasad@sheffield.gov.uk & sean.gibbons@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 21st June 2016 received an application for a review of Premises Licences in respect of premises known as Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.

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Dated: 29th July 2016

Signed


The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Julie Hague
Safeguarding Children's Board
Sent by e-mail to Julie.hague@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 21st June 2016 received an application for a review of Premises Licences in respect of premises known as Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.

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Dated: 29th July 2016

Signed


The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Bob Singh
Environmental Protection Service
Sent by e-mail to bob.singh@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 21st June 2016 received an application for a review of Premises Licences in respect of premises known as Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.

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Dated: 29th July 2016

Signed


The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Cheryl Topham
South Yorkshire Police Licensing
Sent by e-mail to Cheryl.topham@southyorks.pnn.police.uk

The Sheffield City Council being the licensing authority, on the 21st June 2016 received an application for a review of Premises Licences in respect of premises known as Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.

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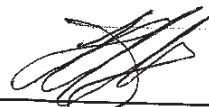
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Dated: 29th July 2016

Signed



The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Georgina Hollis
Licensing Enforcement and Technical Officer
Sent by e-mail to Georgina.hollis@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 21st June 2016 received an application for a review of Premises Licences in respect of premises known as Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.

During the consultation period the Council received representations from the Health Protection Service, South Yorkshire Police Licensing, Safeguarding Children's Board, the Environmental Protection Service and the Licensing Service.

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Dated: 29th July 2016

Signed _____


The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

Appendix D

Regulations / Procedures



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Mr Michelle Hazelwood
John Gaunt Solicitors

Sent by e-mail to smccourt@john-gaunt.co.uk

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During the consultation period the Council received representations from the Health Protection Service, South Yorkshire Police Licensing, Safeguarding Children's Board, the Environmental Protection Service and the Licensing Service.

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Dated 29th July 2016

Signed 
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

NOTES**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.

Regulation 8

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

- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

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

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

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

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

LICENSING ACT 2003

Premises: Yankee Lounge/London Road Club, 1st Floor, 178-184 London Road, Sheffield, S2 4LT.
Type of App: Review of a premises licence
Hearing Date: 16th August 2016 at 10am

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

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

I

Of

hereby confirm that I have received the Notice of Hearing dated **29th July 2016** and notify you as follows **(please complete)**:

- I intend to attend the hearing at 10.00am on Tuesday 16th August 2016
- I do not intend to attend the hearing
- I intend to be represented at the hearing by:
- I do not intend to be represented at the hearing by:.....
- I consider the hearing to be unnecessary because:
- I request thatshould appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: Signed.....

Please see Regulation 8 overleaf

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

Licensing Act 2003 – Hearing Procedure (REVIEW) – 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 and other parties 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 by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The 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.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) 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 Board 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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