

Licensing Sub-Committee

Tuesday 7 February 2017 at 10.00 am

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

The Press and Public are Welcome to Attend for Item 5

Membership

**Councillors David Barker (Chair), Andy Bainbridge and Moya O'Rourke
Kieran Harpham (Reserve)**

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
7 FEBRUARY 2017**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Marston's, Junction of Chaucer Road and Halifax Road, Sheffield S6**
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Review of a Premises Licence***
Report of the Chief Licensing Officer

*(NOTE: The report for the above item is not available to the public and press because it contains exempt information described in paragraph 7 of Schedule 12A to the Local Government Act 1972 (as amended))

This page is intentionally left blank

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.

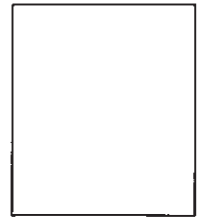
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 7th February 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

Marston's New Build Chaucer Road Sheffield.

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

Background Papers: Attached documents

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No 16/17

Masrtons PLC – New build Junction Chaucer Rd and Halifax Road Sheffield.

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is. Marstons PLC

2.2 The application, which was received on 19th December 2016, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following and are attached at Appendix B:-

- No 1 – Public.

3.2 Responsible Authorities have agreed condition and the applicant has submitted amended parts of the application. This information and conditions are attached at appendix 'C'.

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

4.0 POLICIES TO CONSIDER

4.1 Sheffield City Council Licensing Policy

5.0 FINANCIAL IMPLICATIONS

5.1 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.

6.0 THE LEGAL POSITION

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

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

Section 6 Cont'd

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

7.0 HEARINGS REGULATIONS

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

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

7.3 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.

8.0 APPEALS

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

9.0 RECOMMENDATIONS

9.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

Appendix A

Application

Application for a premises licence to be granted
under the Licensing Act 2003

L/P 148742

AI

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.

We Marston's PLC apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description Sheffield (New Build), junction of Chaucer Road and Halifax Road,	
Post town Sheffield	Post code S6

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- Please tick ✓
- a) An individual or individuals* please complete section (A)
 - b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
 - c) a recognised club please complete section (B)
 - d) a charity please complete section (B)

A2

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm: **Please tick ✓ yes**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - Statutory function or
 - A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (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

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

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

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

43

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Marston's PLC
Address Marston's House, Brewery Road, Wolverhampton, WV1 4JT
Registered number (where applicable) 31461
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any) 01902 711300
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

3	1	0	5	2	0	1	7
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

A4

Please give a general description of the premises (please read guidance note 1)

The Applicant is proposing to construct licensed premises which will face onto Halifax Road but be access from Chaucer Road. The premises will be located on the former school fields and be adjacent to the new Asda development. The premises will have the benefit of its own car parking having some 66 parking spaces.

It is intended that the Applicant's premises will have in the order of 150 covers internally. The proposed premises will open as a public house providing a substantial quality food offering and limited regulated entertainment. The extent of the development is illustrated on the deposited plans along with the location of the site. Application will be made for a permit for AWP machines once the Licence is granted.

Application for Planning Permission has been submitted.

The premises has residential accommodation which includes the Manager's accommodation on the first floor.

The layout is proposed in accordance with the plans deposited with the Licensing Authority with this application, being: -

- Ground floor licensing plan - 0081/13/1003 forming the principal plan for the interior of the premises.
- First floor licensing plan - drawing no. 0081/13/1004
- Site layout plan - 0081/13/1002
- Location plan - 0081/13/1001
- Elevation plan - 0081/13/1001 for information purposes

All licensable activities are to take place internally in the area outlined in red. The licensable activities limited to sale by retail of alcohol, late night refreshment and recorded music only are proposed to be permitted to the external areas.

The premises seek to be able to sell to residents and supply their bona fide guests 24 hours per day, as per the non standard timing sought in accordance with the usual permission permitted historically.

The premises is to have the benefit of external areas to both the front and rear of the premises. The external areas are identified on the plan numbered 0081/13/1003. To the front of the premises and facing onto Halifax Road there will be a landscaped area described as garden which will have seating and dining facilities.

To the rear of the garden and supporting the family side of the premises there is to be terraced area having the benefit of tables and chairs and additional seating. This area will have the same level of waitress service as afforded internally. Adjacent to it there will be an additional landscaped area which will have the benefit of waitress service as appropriate.

On opening the premises will trade under one of the applicant's brands as a quality food led outlet. There will be high levels of service and some waitress provision to the dining areas.

Other licensable activities, in particular regulated entertainment will be ancillary to the provision of food and alcohol.

Appropriate noise attenuation measures are included within the structure of the new build and it is not anticipated that any issues will arise in relation to noise to local residents. The Operating Schedule has been completed on this basis.

The name of the premises will be provided in due course.

Consequently, the following permitted licensing hours for these premises would apply for on and off sales on opening are: -

Monday to Thursday 10:00 to 00:00
Friday / Saturday 10:00 to 01:00
Sunday 11:00 to 00:00

This application seeks to obtain authorisation under the Licensing Act 2003 for the following activities: -

- 1) To permit regulated entertainment comprising live music and amplified voice, recorded music by juke box and music systems, compares for functions and quizzes and similar forms of entertainment, indoor pub games comprising a sporting event in the presence of an audience, exhibition of a film principally video entertainment on screens and TV screens and amusement machines.
- 2) To permit sale of alcohol and such regulated entertainment until 01:00 the following morning on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve and Boxing Day and Friday and Saturday during the month of December.

New Years Eve to operate from 10:00 on the 31st December until 01:00 on the 2nd January, thereby

AS

providing extended hours.

Christmas Day to operate without a break in operational hours.

- 3) To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours as identified in Box M such opening times for this purpose to be confirmed upon 7 days prior notice in writing to the Police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.
- 4) To allow sale of alcohol and such regulated entertainment as follows: -
 - Monday to Thursday 10:00 – 00:00
 - Friday and Saturday 10:00 – 01:00
 - Sunday 11:00 – 00:00
- 5) To permit provision of refreshment after 23:00.

For customers hours of opening are from 07:00 through until 30 minutes after the cessation of licensable activities so as to facilitate the provision of breakfast.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

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

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 3) As stated in Part 3 above. There shall be no films shown to a close seated audience		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 4) N/A – save as below		
Thur	10:00	00:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	01:00			
Sun	11:00	00:00			

C

A7

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) As stated in Part 3 above and restricted to traditional pub games in the presence of an audience, including (but not limited to) darts, pool, snooker, dominos and similar
Day	Start	Finish	
Mon	10:00	00:00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	10:00	00:00	
Wed	10:00	00:00	N/A - save as below
Thur	10:00	00:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri	10:00	01:00	
Sat	10:00	01:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)
Sun	11:00	00:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y}(please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

A8

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 3) Live music and amplified voice as stated in part 3 above.		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4) N/A – save as below		
Thur	10:00	00:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	01:00			
Sun	11:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 3) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above.		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 4) N/A – save as below		
Thur	10:00	00:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	01:00			
Sun	11:00	00:00			

G

A9

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 4) N/A – save as below		
Thur	10:00	00:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	01:00			
Sun	11:00	00:00			

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Mon	23:00	00:00			
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	00:00			
Thur	23:00	00:00	N/A - save as below		
Fri	23:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	01:00			
Sun	23:00	00:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00	To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01:00 on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve and Boxing Day and Friday and Saturday during the month of December.		
Fri	10:00	01:00			
Sat	10:00	01:00	To permit the sale of alcohol and such regulated entertainment authorised hereunder on New Years Eve commencing 10:00 until 01:00 on the 2 nd January.		
Sun	11:00	00:00			
			To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours such opening times for this purpose to be confirmed upon 7 days prior notice in writing to the Police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.		
			To permit retail sale of alcohol 24 hours per day to residents and their bona fide guests		

111

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name: Steven John Roberts
Address: c/o Marston's House, Brewery Road, Wolverhampton
Postcode: WV1 4JT
Personal Licence number (if known): 1840/PERS/2013/020
Issuing licensing authority (if known): Wychavon Council

K

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

NONE save for the presence of AWP machines the use of which is not permitted by persons under the age of 18

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises will close 30 minutes after the end of the non-standard timings identified in box J above.
Mon	07:00	00:30	
Tue	07:00	00:30	
Wed	07:00	00:30	
Thur	07:00	00:30	
Fri	07:00	01:30	
Sat	07:00	01:30	
Sun	07:00	00:30	

Describe the steps you intend to take to promote the four licensing objectives:

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

This is an application for a new Premises Licence to be constructed off Halifax Road and on the junction of Chaucer Road, Sheffield. It will be visible from Halifax Road with the main façade of the premises facing on to the dual carriageway however access will be via Chaucer Road. The layout is particularised on the plans and has the benefit of external areas which is sought to be licensed. It will offer food both internally and externally. Marston's Plc have constructed many premises of this nature and on this occasion it is intended that the premises will operate under the brand of Generous George which will be supported by family friendly facilities including both internal and external play areas.

The above is provided by way of explanation and is not intended to be converted into conditions

b) The prevention of crime and disorder

The applicant has undertaken a risk assessment in connection with the operation of this unit taking into consideration the area in which it is located and their previous experience of units of this nature and their operation and impact on the immediate vicinity.

With regards to the prevention of crime and disorder the applicant would offer the following steps in order to address this issue: -

1. Alcoholic drinks may not be removed from the premises in open containers saved for consumption in external areas provided for that purpose.
2. No customers carrying opened bottles of alcoholic drink upon entry shall be admitted to premises at anytime the premises are open to the public.
3. It is considered that for the nature of the operation door supervisors will not be required however, the Designated Premises Supervisor will undertake a risk assessment should unusual events takes place and if they consider it appropriate will employ the same.
4. Any persons exercising security (as defined by paragraph 21a of schedule 2 of the Private Security Act 2001 shall be licensed by the Security Industry Authority).
5. Such person will be employed at the premises at the discretion of the designated premises supervisor/holder of the premises licence.
6. A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with the specification of August 2015). The CCTV images will be stored for 30 days and Police and authorised officers of the Council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in use of the system.
7. A refusal log and incident log will be maintained and audited by management.
8. All staff to receive induction training, refresher training to be undertaken on an annual basis. Such training to be recorded and made available to the Licensing Authority and South Yorkshire Police for a period of 12 months.

c) Public safety

The applicant has undertaken a risk assessment with regard to public safety.

As this is a New Build all equipment will be to the latest standard and will be British Standard approved.

The applicant will ensure that fixtures and fittings provided to the premises will be of an appropriate nature.

The applicant undertakes to comply with reasonable requirements of the Building Control Officer. In any event, the approval of these statutory authorities will be required before the premises can open to the public.

Proposed condition :-

1. The Premises Licensee will comply with the reasonable requirements of the Fire Officer from time to time.
2. The premises to have the benefit of 75 covers at all times of operation.
3. A permanent fixture residual current device (RCD) must protect the electrical power serving all amplified equipment used for the purposes of live music or similar entertainment.

A13

d) The prevention of public nuisance

The applicant has undertaken a risk assessment with regards to public nuisance.

The applicant proposes conditions as follows: -

1. Where appropriate prominent and legible notices shall be displayed at all exits requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
2. The doors and windows to the premises are to be double glazed.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risk of harm to children have been identified.

1. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
2. Children under the age of 16 shall not be permitted to enter or remain at the premises after 22:00 unless resident, dining with an adult or attending a pre booked function.


Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date: 16th December 2016

Capacity: Solicitors.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

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

John Gaunt & Partners
 Omega Court
 372 Cemetery Road

mhazlewood@john-gaunt.co.uk

Post town Sheffield	Post code S11 8FT
------------------------	----------------------

A14

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Schedule 11

Consent of individual to being specified as premises supervisor

I, Steven John Roberts.....
of Marston's House, Brewery Road, Wolverhampton, WV1 4JT.....

hereby confirm that I give my consent to be specified as the designated premises
supervisor in relation to the application for grant of the premises licence by

MARSTON'S PLC

{names(s) of premises licensee}

relating to a premises licence for

SHEFFIELD New Bull's Gal. of Chaucey Road & Halifax Road

{name and address of premises to which the application relates}

and any premises licence to be granted in respect of this application made by

MARSTON'S PLC

{name(s) of premises licensee}

concerning the supply of alcohol at

Sheffield, Section of Chaucey Road & Halifax Road

{name(s) and address of premises to which application relates}.

I also confirm that I currently hold a personal licence.

Personal Licence number: 1840\PERS\2013\020

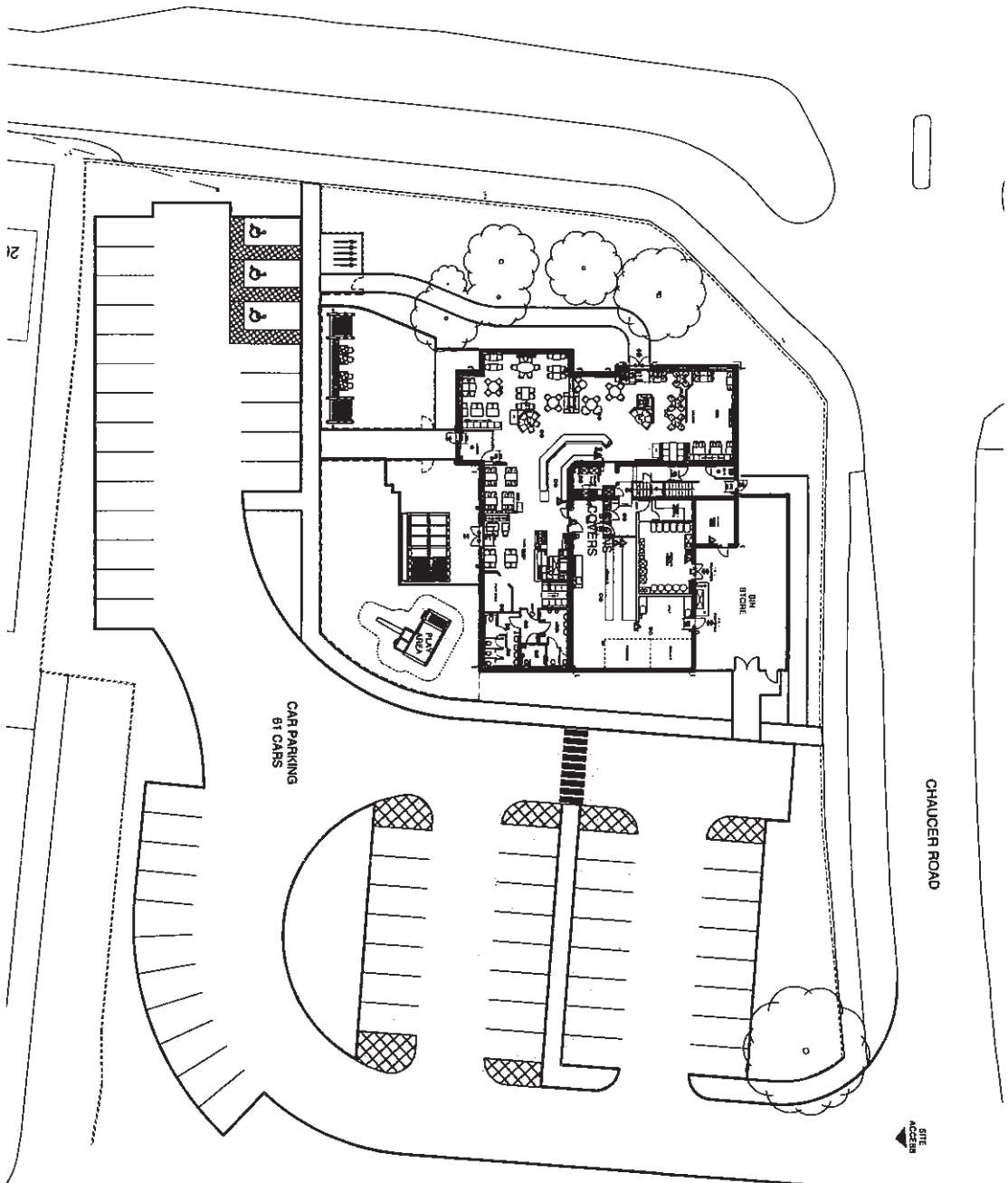
Personal Licence issuing authority: Wychavon District Council



Signed:.....

Name (please print): STEVEN JOHN ROBERTS.....

Dated:..... 16/12/16



LICENSING KEY

- ▲ Cat Enclosure
- ▲ Dog Shelter/Enclosure
- ▲ Water Tank
- ▲ WWT Easement
- ▲ Fire Service
- ▲ PTO (Proposed) (Not for a TPO)
- (Hatched) (Not for a TPO)
- (Dotted) (Not for a TPO)
- (Horizontal lines) (Not for a TPO)
- (Vertical lines) (Not for a TPO)
- (Diagonal lines) (Not for a TPO)
- (Cross-hatch) (Not for a TPO)
- (Stippled) (Not for a TPO)
- (Empty) (Not for a TPO)
- (Shaded) (Not for a TPO)

▲ Cat Enclosure
▲ Dog Shelter/Enclosure
▲ Water Tank
▲ WWT Easement
▲ Fire Service
▲ PTO (Proposed) (Not for a TPO)
● (Hatched) (Not for a TPO)
● (Dotted) (Not for a TPO)
● (Horizontal lines) (Not for a TPO)
● (Vertical lines) (Not for a TPO)
● (Diagonal lines) (Not for a TPO)
● (Cross-hatch) (Not for a TPO)
● (Stippled) (Not for a TPO)
● (Empty) (Not for a TPO)
● (Shaded) (Not for a TPO)

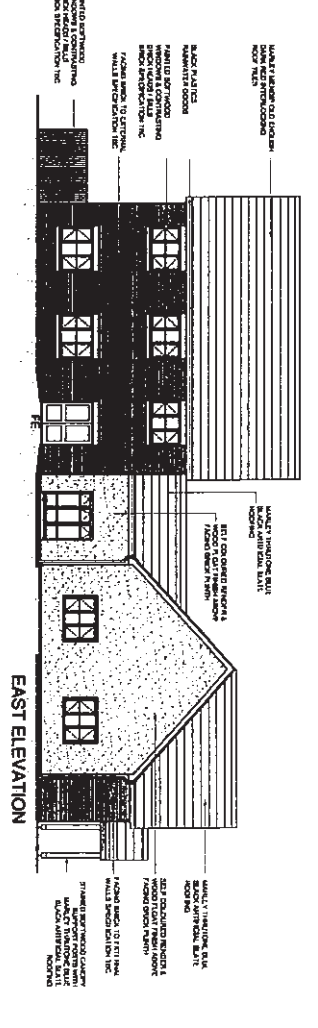
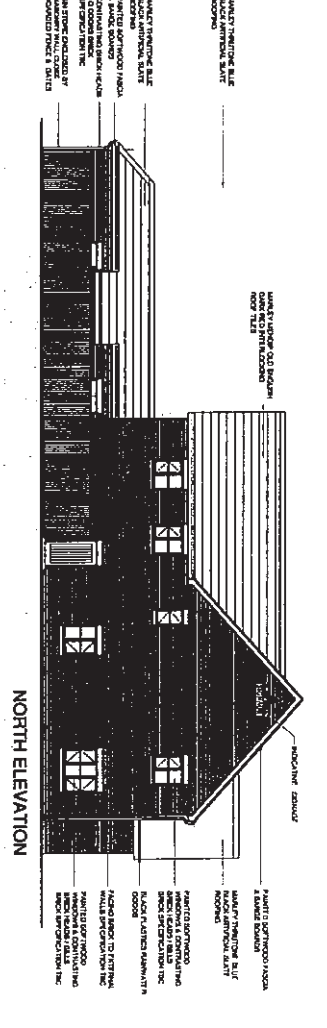
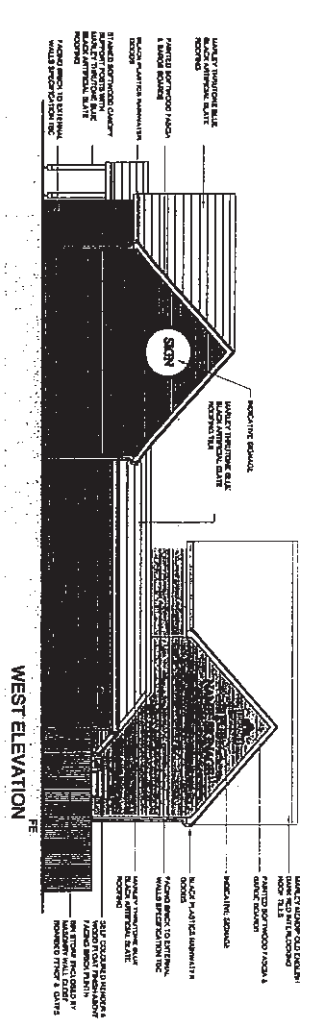
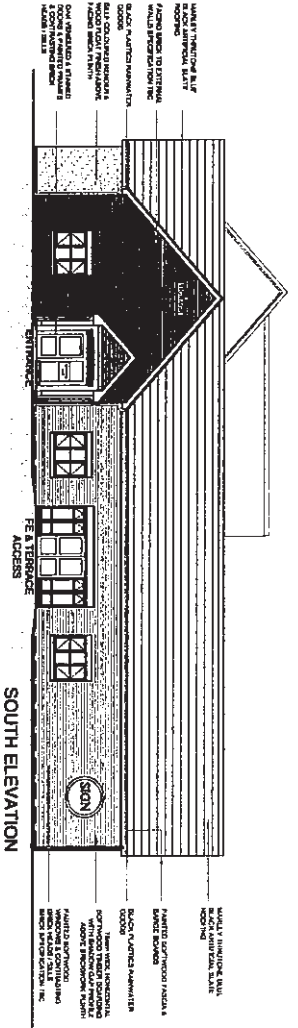
NOTES
 1. This drawing is the property of White Design (UK) Ltd and remains the property of White Design (UK) Ltd. It is not to be reproduced, copied, sold, lent, or otherwise disseminated without the written consent of White Design (UK) Ltd. Any unauthorised use of this drawing is strictly prohibited.
 2. The information contained in this drawing is for information only and is not to be used for any other purpose without the written consent of White Design (UK) Ltd.

LICENSING

White Design
 WILDGOOSE CONSTRUCTION
 MARSTONS 150 COVERS
 CHAUCER ROAD
 SHEFFIELD
PROPOSED SITE PLAN

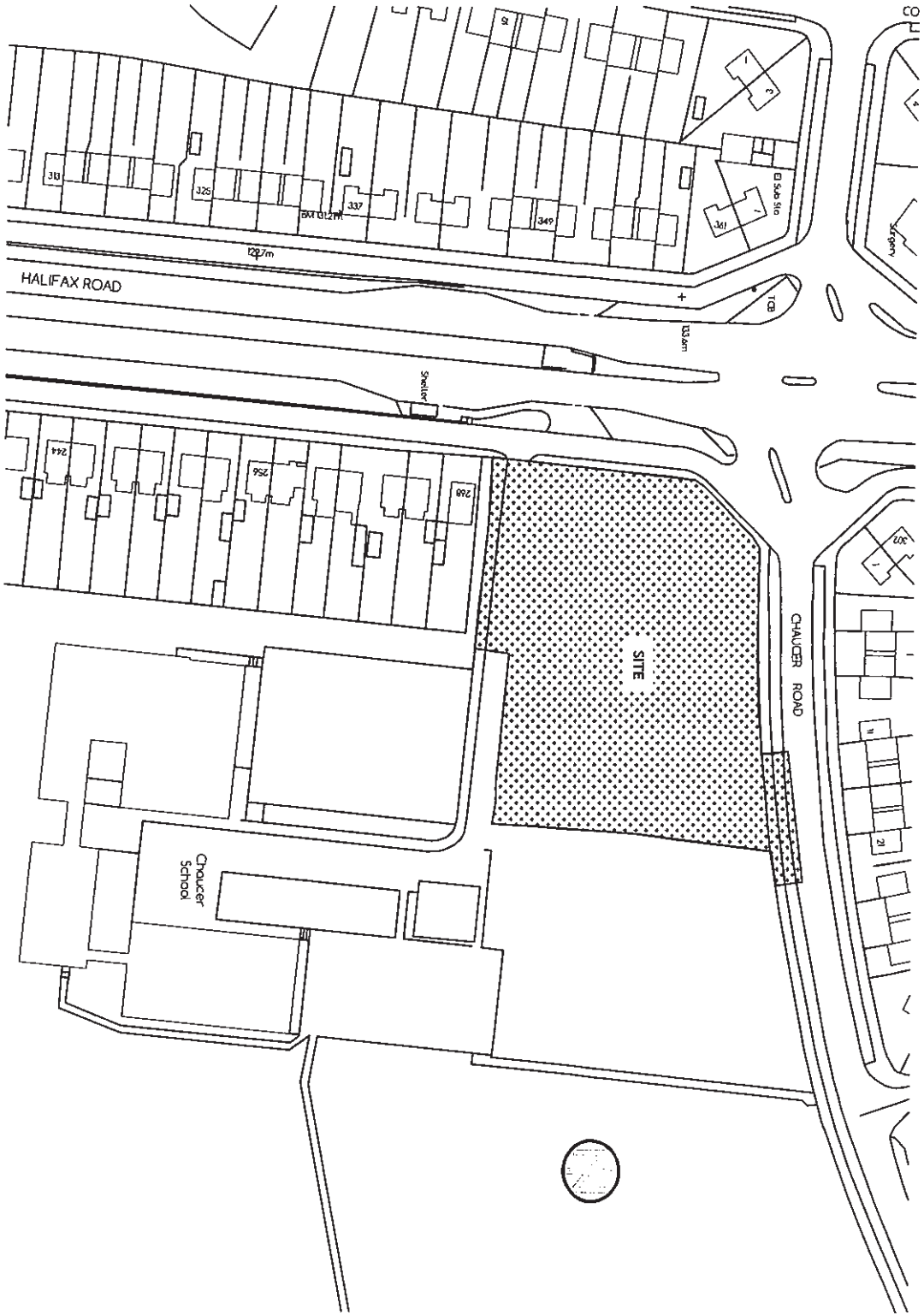
0081 / 13 / 10 02
 21/03/2013

MARSTONS
 WILDGOOSE CONSTRUCTION



<p>Notes: 1. All dimensions are in millimetres unless otherwise stated. 2. All dimensions are in millimetres unless otherwise stated. 3. All dimensions are in millimetres unless otherwise stated.</p>	
<p>White Design</p>	
<p>WILDGOOSE CONSTRUCTION</p>	
<p>MARSTON'S 150 COVERS CHAUDER ROAD SHEFIELD</p>	
<p>PROPOSED ELEVATIONS</p>	
<p>Client: MARSTON'S</p>	<p>Date: 13/10/05</p>
<p>Project: 150 COVERS</p>	<p>Scale: A</p>
<p>Drawn by: 13/10/05</p>	<p>Checked by: 13/10/05</p>

LOCATION PLAN - SCALE 1:1250



NOTES
 1. This drawing is the property of Wildgoose Construction Ltd. It is to be used only for the project and site specified on the title block. It is not to be used for any other project or site without the written consent of Wildgoose Construction Ltd.
 2. The client is responsible for providing all necessary information and data for the design of the project. Wildgoose Construction Ltd. is not responsible for any errors or omissions in the information provided.
 3. This drawing is a preliminary design and is subject to change without notice. It is not to be used for construction purposes without the written consent of Wildgoose Construction Ltd.

White Design	
WILDGOOSE CONSTRUCTION	
MARSTON'S 150 COVERS CHAUCER ROAD SHEFFIELD	
LOCATION PLAN	
Scale: 1:1250	Date: 08/11/2011
Drawn: A	Checked: A
<p>White Design</p> <p>Wildgoose</p> <p>MARSTON'S</p>	

Licensing Solicitors

Our Ref: MH/MAR/SHE172
Contact: Michelle Hazlewood

MRC

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



16 December 2016

Dear Sirs

Premises – Sheffield (New Build) at the junction of Halifax Road/Chaucer Road, Sheffield. S6
Applicant – Marston's PLC

We act for Marston's PLC in particular the managed division and Steven Roberts the proposed Designated Premises Supervisor.

We are instructed by our clients to apply for a new Premises Licence for a development which is to take place off Halifax Road, where our clients intend to construct a new pub/restaurant. The premises will be accessed from Chaucer Road but will face onto Halifax Road and will have the benefit of some 60 car parking spaces. The premises will be a family friendly orientated food led premises.

On our client's behalf, we enclose by way of service on you:

1. Notice of Application pursuant to Section 17 of the Licensing Act 2003.
2. Copy drawings:
 - Ground floor licensing plan – 0081/13/1003 forming the principal plan for the interior of the premises.
 - First floor licensing plan - drawing no. 0081/13/1004
 - Site layout plan – 0081/13/1002
 - Location plan – 0081/13/1001
 - Elevation plan – 0081/13/1001 for information purposes
3. Our cheque in your favour in the sum of £100.00 being the fee payable.
4. Consent of the proposed Designated Premises Supervisor Steven Roberts.

Kindly acknowledge safe receipt.

On completion of the build an application will be made to vary the Premises Licence and appoint a Designated Premises Supervisor who will operate the site. Steven Roberts is a member of the Acquisitions Team who will not trade the premises going forward.

The plans identify the licensed area edged in red. For the purpose of clarification we confirm that all proposed licensable activities extend to the public areas within

Tel: 0114 266 8664
Helpline: 0114 266 3400
Fax: 0114 267 9613
Email: info@john-gaunt.co.uk
www.john-gaunt.co.uk

Partners:

John Gaunt (569711)
Katharine Redford (569712)
Tim Shield (569713)
Michelle Hazlewood (569714)
Christopher Grunert
Jonathan Pupius

Practice Manager:

John Gaunt & Partners
Omega Court
372 - 374 Cemetery Road
Sheffield
S11 8FT

this area however in relation to external areas licensable activities are restricted to retail sale of alcohol, late night refreshment and recorded music only. Please note that the proposed licensing drawings filed with this application are derived from our client's working drawings. Insofar as they contain information which is not prescribed under the relevant Regulations, this information should be taken as being illustrative only.

We confirm that we have served copies of the enclosed application and supporting documents on the relevant authorities being the Police, Fire Authority, Local Enforcement of Health & Safety at Work, Environmental Health Authority, Planning Authority, the relevant authority for Protection of Children from Harm and Weights and Measures and the Health Authority.

Please take this letter and enclosures as service on you as Licensing Authority and as a Responsible Authority. If you require a further copy of the documentation, please advise by return.

Application is made to permit the opening of the premises from 07:00 hours. It is understood that the site may wish to undertake breakfast however retail sale of alcohol will not commence until 10 a.m.

For completeness, we enclose a copy of our notice being displayed on site. According to our calculations, the consultation period is due to expire on 16th January 2017. If you have any queries regarding this, please contact us upon receipt.

We should be grateful if you would forward to us any representations as soon as they are received to enable early consultation and discussion to take place.

Should you have any queries, please do not hesitate to telephone us. Please forward all correspondence to this office and quote our reference. In due course, please ensure that any licensed issued is forwarded to us.

Thank you for your assistance.

Yours faithfully



Michelle Hazlewood
John Gaunt & Partners
Email: mhazlewood@john-gaunt.co.uk

Application has been made by Marston's PLC to the Licensing Authority of Sheffield City Council for a Premises Licence for the Sheffield (New Build) at the junction of Chaucer Road and Halifax Road, Sheffield. S6. The application includes the following terms:-

1. To enable the sale of alcohol between 10:00 hours and 00:00 hours Monday to Thursday, 10:00 and 01:00 hours Friday and Saturday and 11:00 to 00:00 hours on Sunday.
2. To enable the sale of alcohol for extended hours at Bank Holidays and on other limited days as specified in the application.
3. To enable Regulated Entertainment (as specified in the application) to be provided when the Premises are open for the sale of alcohol.
4. To enable the provision of late night refreshment.

Full details of the Application can be viewed at the offices of the Licensing Authority at Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD

A responsible authority or any other person can make written representations to the Licensing Authority at any time up to and including 16th January 2017 (www.sheffield.gov.uk)

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is unlimited.

Dated this: 16th December 2016

John Gaunt & Partners, Solicitors

Appendix B

Public Objection - No 1

Crawshaw Michael (CEX)

16/17

B1

From: Delamore Lindsey on behalf of licensingservice
Sent: 11 January 2017 10:36
To: Crawshaw Michael (CEX)
Cc: Rhodes Emma (CEX)
Subject: FW: Objection to new licensng application

From: [REDACTED]
Sent: 10 January 2017 21:33
To: licensingservice
Subject: Objection to new licensng application

10th January 2017

licensingservice@sheffield.gov.uk

Dear Sir/Madam

I would like to formally object to the new licensing application made by Marston Plc on 16th December 2016, for a new Public House at the Junction of Chaucer Road and Halifax Road, Sheffield, S6

The grounds for my objection, are as follows:

Crime and disorder

The Parson Cross pub, located less than quarter of a mile away closed due to drugs, underage drinking and violence. A new licensed property is likely to become a new focus point for similar criminal activities.

Public safety

The site location is on the cross-roads of two busy main roads. Three of the four main roads have pedestrian crossings, but there are also four service roads with no crossings. These service roads are deceptively busy as they are used as rat runs to avoid traffic lights on the main cross-roads and in the case of the service road running immediately adjacent to the site of the proposed premises for access to Lidl.

Chaucer Road is busy 24/7, with 24hr access for deliveries to Asda and there is a constant flow of traffic on Halifax Road due to it being a major link road between the M1 and Sheffield City Centre. The pedestrian crossing on Chaucer Road is located approximately 200m from the premises, so it is highly likely that after a late nights drinking people will prefer to "take their chances" rather than walk to use it. Also since the initial planning application was made traffic volume has increased due to the opening of a new Farm Foods store.

It is only a matter of time before a fatal collision between a drunk customer and a vehicle occurs. At best the road layout needs altering to move the pedestrian crossing on Chaucer Road closer to the proposed site and to introduce road calming measures on all four Halifax Service Roads.

B2

Public nuisance

This is a RESIDENTIAL area, allowing regular opening times past 11pm is totally out of keeping with the area and unfair on local residents. The planning application suggests that this is an "eating pub" but with opening times of up to 1am there will be late night noise from people leaving, not to mention broken glass, litter (and worse) from people who are under the influence of excess drink.

I have serious concerns over clashes with home/away football fans on match days, when the location on the main road into the city will make it an attractive place for away supporters to stop. In addition to this antisocial parking on residential streets as the carpark will be totally inadequate to provide match day parking, especially if users use it as a location to drink/eat before walking into Hillsborough to see the match (even more attractive if the venue has a licence to show live football on the TV).

Restricting match day parking to 2 hrs (as is done by most other companies in the area who have private carparks) will only exacerbate the nuisance to local residents from inconsiderate and obstructive parking.

Protection of children

I have concerns about how appropriate it is to allow the opening of a new licensed premises less than 100m from a secondary school gate.

I trust that you will take my concerns into account before making any decision regarding this application.

Yours Faithfully

Miss Jenny Clinging

, Sheffield, S6 

User name Password Stay signed in [Forgot your password?](#)

Appendix C

Agreed amendments and conditions

Agreed

CI

From: Pates Neal
Sent: 16 January 2017 14:20
To: licensingservice
Subject: RE: Sheffield New Build, Chaucer Road
Attachments: RE: Grant premises licence application - New Build - jn Chaucer & Halifax Rds

Dear Licensing,

On the basis of the email below (formalising the attached), please include, as agreed/proposed by the applicant, the following two conditions in relation to prevention of public nuisance.

- The Designated Premises Supervisor or delegated member of staff shall take a proactive approach to noise control, checking outside the premises to ensure the break out of internal noise from patrons using the external areas and departing from the premises is managed so as not to cause nuisance to occupiers of nearby residential properties.
- Where appropriate prominent 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.

[The second condition listed here was proposed by the applicant on application]

On the basis of these being agreed and implemented, I have no representation to make in this matter.

Best regards,

Neal

Neal Pates
Environmental Protection Officer

EPS: Commercial Team
Sheffield City Council
Tel (0114) 273 4651
Mob: [REDACTED]
Int: x 53588

From: Sue McCourt [<mailto:smccourt@john-gaunt.co.uk>] **On Behalf Of** Michelle Hazlewood
Sent: 16 January 2017 12:56
To: Pates Neal
Cc: licensingservice
Subject: Sheffield New Build, Chaucer Road

Dear Neal

Further to your email of 6th January in connection with the proposed development by Marston's on the junction of Chaucer Road and Halifax Road, I write to confirm that I have obtained my clients instructions and they are agreeable to the additional condition being endorsed upon the operating schedule as proposed by you which is as follows:

"The Designated Premises Supervisor or delegated member of staff shall take a proactive approach to noise control, checking outside the premises to ensure the break out of internal noise from patrons using the external areas and departing from the premises manage so as not to cause nuisance to occupiers of nearby residential properties. Further that the tendered condition should also be within the operating schedule."

I have copied in the Licensing Authority so they are aware of our agreement.

Should you have any queries, please do not hesitate to contact us.

Yours sincerely

From: Hollis Georgina (CEX) on behalf of licensingservice
Sent: 09 January 2017 14:34
To: Crawshaw Michael (CEX)
Cc: Rhodes Emma (CEX)
Subject: FW: Marston's Plc - Application for New Premises Licence Halifax Road / Chaucer Road S6

From: Carron Mather [mailto:CMather@john-gaunt.co.uk] **On Behalf Of** Michelle Hazlewood
Sent: 09 January 2017 13:52
To: licensingservice
Cc: Hague Julie
Subject: Marston's Plc - Application for New Premises Licence Halifax Road / Chaucer Road S6

We refer to correspondence with the Responsible Authority for Safeguarding of Children – Julie Hague – in relation to the above mentioned site.

It has been agreed that the condition proposed at Section M (e) should be amended so as to read:

"Children under the age of 16 shall not be permitted to enter or remain at the premises after 22.00 unless resident as a guest and accompanied by a responsible adult, dining with an adult or attending a pre-booked family type function".

Additionally, a further condition should be added to the Licence as follows :-

"The Designated Premises Supervisor or other such responsible person will be assigned to act as a safeguarding coordinator at the premises".

We should be grateful if these amendments could be incorporated within the operating schedule. Should you have any queries or have received any further representations, please do not hesitate to contact our Ms. Hazlewood.

Regards

Michelle Hazlewood
 Partner
 Sent by Carron Mather

MHazlewood@john-gaunt.co.uk | www.john-gaunt.co.uk
 T: 0114 266 8664 | M: [REDACTED] | F: 0114 267 9613

JG&P | John Gaunt
 & Partners

Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FF

Premises Licences | Personal Licences | DPS Changes | Temporary Event Notices
 APLH Courses | Reviews | Due Diligence | Betting and Gaming | eLearningPlus

For more details on our services please click on the links above.

Appendix D

Hearing notices and Regulations



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

Marston's PLC
Masrton's House
Brewery Road
Wolverhampton
WV1 4JT

C/O John Gaunt Partners (Michelle Hazelwood)

Sent via email: mhazelwood@john-gaunt.co.uk

The Sheffield City Council being the licensing authority, on the 28th November 2016 received an application in respect of the premises known as;

Marston's New Build – Chaucer Road/ Halifax Road Sheffield.

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **7th February 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 23rd January 2017

Signed: **Clive Stephenson**

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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



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

Miss Jenny Clinging
[REDACTED]

Sheffield
S6 [REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 19th December 2016 received an application in respect of the premises known as;

Marstons New Build – Chaucer Road / Halifax Road Sheffield

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **7th February 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 23rd January 2017

Signed: **Clive Stephenson**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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.

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

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

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank