

Licensing Sub-Committee

Thursday 8 March 2018 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), Vickie Priestley and Gail Smith

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

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
8 MARCH 2018**

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 - Kin, Kelham Works, 2 Alma Street, Sheffield S3 8SA**
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.

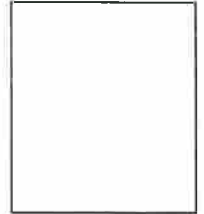
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

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SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 8th March 2018

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.

Kin Kelham Works 2 Alma Street 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 27/18

Kin Kelham Works 2 Alma Street Sheffield S3 8SA

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 Stephen Fields Limited

2.2 The application, which was received on 12th January 2018, 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 5 – Public

3.2 Three responsible authorities have agreed conditions. 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

8th March 2018

Appendix A

Application

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

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, Stephen Fields Limited 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
Kin, Kelham Works, 2 Alma Street, at the junction of Alma Street and Russell Street
Post town Sheffield Post code S3 8SA

Telephone number of premises (if any)

Non-domestic rateable value of premises To be confirmed

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- a) An individual or individuals* [X] 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)
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

AZ

- 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

Date of birth:	I am 18 years old or over <input checked="" type="checkbox"/>	Please tick
Nationality:		

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

Date of birth:	I am 18 years old or over <input checked="" type="checkbox"/>	Please tick
Nationality:		

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

A3

(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 venture (other than a body corporate), please give the name and address of each party concerned.

Name Stephen Fields Limited
Address Yorkshire House, East Parade, Leeds. LS1 5BD
Registered number (where applicable) 10772886
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

0	5	0	2	2	0	1	8
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If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

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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 licence premises which has recently been refurbished known as Kelham Works situated on the junction of Alma Street and Russell Street so as to operate the ground floor as a Bar and Deli. The postal address is 2 Alma Street. It is intended that the applicants premises will have in the order of 100 covers and during the course of the day will operate principally as a Restaurant/Deli with a strong quality food offering and limited regulated entertainment. In the evening the premises will continue to trade with a food offering but will become more wet led. The layout is proposed in accordance with the plans deposited with the Licensing Authority with this application being – 1904/100B illustrating the ground floor and licensed area.

On opening the premises will trade as the "Kin". The premises will have the appropriate levels of waitress service in connection with the restaurant and Deli operation.

Other licensable activities in particular regulated entertainment will be ancillary to the provision of food and alcohol. It is anticipated that regulated entertainment will be provided on an occasional basis tied in with other events happening within the Kelham Island area or alternatively in relation to functions which are privately booked.

The following permitted licensing hours for these premises would apply for on and off sales on opening are:

Monday to Sunday – 07:00 to 00:00 hours. It is not envisaged that consumption on the premises will take place until 10 or 11 a.m. however, it is anticipated that those persons frequenting the Deli in the morning to purchase deli items may seek to purchase bottled/craft beer products at the same time as food and the earlier hours of operation are anticipated to facilitate off sales.

The applicant seeks to obtain authorisation under the Licensing Act for the following activities:

1. To permit regulated entertainment comprising live music and amplified voice, recorded music, comparses for functions and quizzes and similar forms of entertainment.
2. To permit sale of alcohol and such regulated entertainment until 01:00 hours on Christmas Eve and New Year's Eve.
3. To allow regulated entertainment and sale of alcohol Monday to Sunday 11:00 to 00:00 hours.
4. To permit provision of late night refreshment after 23:00 hours.

The premises will open from 07:00 hours so as to facilitate sales of breakfast etc.

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 (please read guidance note 2)

- 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 7)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur								
Fri								
Sat						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 6)		
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Tue					
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

D

A7

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Fri					
Sat			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 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	11:00	00:00	Please give further details here (please read guidance note 4) Live music and amplified voice as stated in part 3 above.		
Tue	11:00	00:00			
Wed	11:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	11:00	00:00			
Fri	11:00	00:00	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 6)		
Sat	11:00	00:00			
Sun	11:00	00:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

F

AS

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:00	Please give further details here (please read guidance note 4)		
Tue	11:00	00:00	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.		
Wed	11:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur	11:00	00:00	N/A – save as below		
Fri	11:00	00:00	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 6)		
Sat	11:00	00:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sun	11:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:00	Please give further details here (please read guidance note 4)		
Tue	11:00	00:00	As stated in Part 3 above		
Wed	11:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	11:00	00:00	N/A – save as below		
Fri	11:00	00:00	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 6)		
Sat	11:00	00:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sun	11:00	00:00			

H

A9

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			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 3).	Indoors	
				Outdoors	
Mon				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	23:00	00:00		As stated in Part 3 above	
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	00:00	N/A – save as below		
Fri	23:00	00:00	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 6)		
Sat	23:00	00:00			
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 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	07:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	07:00	00:00			
Wed	07:00	00:00			
Thur	07:00	00:00			
Fri	07:00	00:00			
Sat	07:00	00:00			
Sun	07:00	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 6)		
			To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01:00 on Christmas Eve and New Year's Eve		

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

Name: Simon John Rose
Date of Birth: 28 May 1979
Address: 40 Stanley Road, Sheffield
Postcode: S35 2XS
Personal Licence number (if known): SY06446 PER
Issuing licensing authority (if known): Sheffield City 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 9)

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

All

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> {Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership} I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
--------------------	--

Signature: John Gaunt & Partners.....
 Date:
 Capacity: Solicitors.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 13). **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 14)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any)	0114 2668664
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mhazlewood@john-gaunt.co.uk	

Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.

AB

8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK {please see note below about which sections of the passport to copy}.
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not

A14

subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Appendix B

Objection No.5 Public

BI

Rhodes-Evans Emma (CEX)

From: licensingservice
Subject: FW: Kelham Island Stephen Fields Limited application for a premises licence

From: David J Buttle
Sent: 02 February 2018 08:37
To: licensingservice
Subject: Kelham Island Stephen Fields Limited application for a premises licence

Dear Sir/Madam

I wish to object against the licence application by Stephen Fields Ltd at 2 Alma Street, Kelham Island. Kelham Island is predominantly a residential area and the building at 2 Alma Street is a residential building. It therefore seems entirely inappropriate to grant a licence for the **sale of alcohol from 7am until midnight**, and **to allow live (amplified) music and dancing from 11am until midnight**. No other commercial premises at Kelham Island serve alcohol after 11pm and I also do not think any start serving alcohol until late morning, and I believe live music at eg. the Fat Cat, is reserved for special occasions. Kelham Island is not West Street and has a distinct "Urban Village" ambiance which would preclude the kind of culture that the purchase of alcohol at 7am, late night drinking, dancing and the playing of gaming machines generates. If people require this kind of entertainment they do not have to travel far to find it, and it is important that the unique atmosphere at Kelham Island is retained..

Yours sincerely

Dave Buttle

B2

Rhodes-Evans Emma (CEX)

From: licensingservice
Subject: FW: Opposition to Kelham Works license application

From: Michael Sallot
Sent: 06 February 2018 12:58
To: licensingservice
Subject: Opposition to Kelham Works license application

Hello,

I am writing in opposition to the application for a premises licence for **Kin, Kelham Works, 2 Alma Street, at the junction of Alma Street and Russell Street.**

As a resident of Kelham Island, I am growing increasingly concerned with the pace of development, which feels like it is accelerating at an unsustainable pace. In the past year, we have had a number of new businesses opening, and that, combined with a strong interest in the area, has already led to this residential neighbourhood becoming a major destination for noisy revellers.

First and foremost, this is a residential neighbourhood. The site of the proposed new premises license is on the ground floor of a residential apartment building in a densely-packed area. No other restaurant has been permitted a late licence, nor one that begins so early in the morning. Judging from the application, as well as the signage already in place on the ground floor of Kelham Works, Kin doesn't seem to have a clear vision, direction, or purpose. It is simply trying to be too many different things. No other restaurant has been permitted to play amplified live music in a residential building, nor have a licence for dancing and gaming machines. If it is a restaurant, why does it need the latter two permits? Furthermore, AWP machines don't provide the sort of entertainment that people in this community are interested in. In short, it will add nothing of value to Kelham Island.

Many people are worried about Kelham Island effectively becoming a night-time entertainment district. In the past year, we have awoken Sunday morning to find vomit on the pavement more often than not. We are already well-served by the numerous restaurants, award-winning traditional pubs and nearby bars, such as the Kelham Wine Bar on Ball Street, and the Old Workshop on Hicks Street. We don't need anything that is going to add to the parking woes, congestion, pollution (the noise kind, and litter) that will come with a late license, amplified music, idling taxis and Ubers, and drunken visitors who come to party in Kelham Island at the weekend. An establishment of this kind will only attract people who could otherwise go to West Street, and will only serve to make this area less of a nice place to live for the strong and vibrant community who call it home.

Thank you for your consideration.

Respectfully,

Michael Sallot

RB3

Rhodes-Evans Emma (CEX)

From: licensingservice
Subject: FW: Licencing Application for Kelham Works

From: Alice Clayton
Sent: 31 January 2018 10:42
To: licensingservice
Subject: Licencing Application for Kelham Works

Hi,

I'm emailing to question the licencing application for Kelham Works (next to Kelham Island Tavern), particularly the request for a late, post 11pm licence in a mostly residential area without any post 11pm venues nearby.

I think it's totally unnecessary to have a bar open so late when it's surrounded by apartments and family homes, and I'm disappointed that it's even being considered. I also object to the gaming licence – I don't think this fits in with the Kelham Island culture.

I have no problem with a new bar/restaurant in that location, as long as it has an 11pm licence like everything else. Please let me know if there's anything else that can be done on this.

Thanks,

Alice Clayton

B4

Rhodes-Evans Emma (CEX)

From: licensingservice
Subject: FW: Kelham Works liquor license

From: Meredith JC Warren
Sent: 02 February 2018 12:19
To: licensingservice
Subject: Kelham Works liquor license

Hello,

I'm emailing to comment on the application for a liquor license for the new Kelham Works "Kin". I think the liquor license application asks for too late and too early liquor sales that are not in keeping with the neighbourhood. I don't think it's good for a place in a residential area to be able to play amplified music or have dancing. No other restaurant or cafe has permission for a late licence in the area, nor for one that starts at 7am. The Grind cafe has a licence 11am-9pm, and the new Gatehouse only to 11pm. Both the Craft and Dough and Urban Social have licences only to 11pm and are not allowed amplified music. I'm also strongly opposed to gaming machines being available in restaurants/bars/delis or whatever in the area.

Thank you for taking the views of current residents into account when evaluating Kin's application for a liquor license.

Best wishes,

Meredith Warren

B5

Rhodes-Evans Emma (CEX)

From: licensingservice
Subject: FW: Early and late licence Kelham Island.

From: Susan Elizabeth Cohen Page
Sent: 31 January 2018 19:27
To: licensingservice
Subject: Early and late licence Kelham Island.

Since this is a residential apartment block, not a night club. I object as a local resident. Normal local pub and cafe hours should be observed by all I think. Susan Page.

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Appendix C

Agreed conditions
South Yorkshire Police
Environmental Protection Services
Environmental Health Services

Rhodes-Evans Emma (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 05 February 2018 14:58
To: Rhodes-Evans Emma (CEX)
Subject: FW: Kin, Kelham Works

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]
Sent: 05 February 2018 14:57
To: licensingservice
Subject: FW: Kin, Kelham Works

Hi all,
Page 32

The following receipt of the premise licence application for Kin, Kelham Works, 2 Alma Street, we have now received agreement of the following conditions:

- 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 specification July 2016). 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 the use of the system.
- The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external areas and departing the premises is managed so as not to cause a nuisance to occupiers of nearby and adjoining residential properties.
- Windows and doors to remain closed during live and recorded music save for access and egress.

I understand a reduction of hours has also been agreed with EPS.

Please place on the licence should this be granted.

Thanks

Lucy



Rhodes-Evans Emma (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 05 February 2018 10:54
To: Rhodes-Evans Emma (CEX)
Subject: FW: Kin, Kelham Works

From: Pates Neal
Sent: 02 February 2018 15:11
To: licensingservice; Michelle Hazlewood
Cc: Rhodes-Evans Emma (CEX)
Subject: RE: Kin, Kelham Works

Dear Michelle,

Thank you for your response, as detailed below. I'm content that the revisions you've agreed with your client address the substantive portion of EPS concerns, and will withdraw from further representations on this basis. I'm happy that the SYP conditions agreed, with the addition of the ventilation condition and the change in hours for licensable activities, will be sufficient to address public nuisance concerns.

FAO Licensing Service.

Could you please ensure that the application details, and any licence subsequently issued, reflect the changes outline below, i.e.

- Reduce terminal hour for licensable activities to 23:00 hours daily with the premises closing at 23:30 hours.
- Extension to hours of operation for New Year's Eve and Christmas Eve to remain at 1 a.m.
- Regulated entertainment to be removed from the Licence application.
- Late night refreshment to operate daily from 23:00 to 23:30 hours in line with the time for closure.

Agreed conditions for Prevention of Public Nuisance:

"All ventilation outlets, which serve the licensed area, are to be acoustically baffled and thereafter retained as such."

"The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external areas and departing the premises is managed so as not to cause a nuisance to occupiers of nearby and adjoining residential properties."

"Windows and doors to remain closed during live and recorded music save for access and egress."

I trust this concludes the matter for EPS. Please do get back to me if there are any questions or concerns.

Best regards,

Neal

Neal Pates
Environmental Protection Officer

EPS: Commercial Team
Sheffield City Council
Tel: (0114) 273 4651
Mob: 07795 528 038
Fax: x 53588

Page 5

From: Sue McCourt [<mailto:smccourt@john-gaunt.co.uk>] **On Behalf Of** Michelle Hazlewood

Sent: 02 February 2018 14:18

To: Pates Neal

Cc: Rhodes-Evans Emma (CEX); licensingservice

Subject: Kin, Kelham Works

Dear Neal

Apologies for not reverting to you sooner in connection with your email of 22nd January however I have now received my clients instructions.

Part of the delay in responding to you is that the original Planning Permission was secured by the developer of the site and despite my clients endeavours they have been unable to speak with the developer regarding the Planning Permission and any variation to it.

However in order to facilitate this application and hopefully simplify the situation we are instructed by our clients to:

- Reduce terminal hour for licensable activities to 23:00 hours daily with the premises closing at 23:30 hours.
- We would however ask that the extension to hours of operation for New Year's Eve and Christmas Eve should remain at 1 a.m. and that from a planning point of view these would be seen as occasional deviations from the grant.



C4

Rhodes-Evans Emma (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 12 February 2018 08:50
To: Rhodes-Evans Emma (CEX)
Subject: FW: New Licence Application Kin 2 Alma Street sheffield S3 8SA serial no 618782

From: Pitts Steven
Sent: 12 February 2018 08:23
To: Michelle Hazlewood
Cc: licensingservice; Lobo Rose
Subject: RE: New Licence Application Kin 2 Alma Street sheffield S3 8SA serial no 618782

Dear Michelle / Sue

Thank you for confirming on behalf of your client that you agree to the condition that I have requested, I can now withdraw my representation in respect of the new premises licence application.

Please ask your client to contact me to arrange a meeting to discuss the floor finish.

Best Regards

Steve Pitts

From: Sue McCourt [<mailto:smccourt@john-gaunt.co.uk>] **On Behalf Of** Michelle Hazlewood
Sent: 09 February 2018 11:48
To: Pitts Steven
Cc: licensingservice; Lobo Rose
Subject: RE: New Licence Application Kin 2 Alma Street sheffield S3 8SA serial no 618782

Dear Steve

Further to your email on Wednesday and hopefully we can agree this prior to the end of consultation today. I have taken my clients instructions and can confirm that they are agreeable to a condition in connection with the requirement for the RCD as set out by you at item 1 of your email.

My clients will also obtain Electrical and Gas Certificates and forward copies of these to you before opening although we note that these are simply a request and not a condition.

In relation to the slip resistant floor surface I note that you are not requesting a condition for compliance with this on the Licence however, our clients would be grateful of your assistance in ensuring that their flooring is satisfactory. They are looking at either the claimed wood or a polished/finished concrete flooring.

Neither of these will come with a manufacture/supplier pendulum wet test rating and we would like to discuss with you how this can be assessed further.

We would be grateful if on following receipt of this email you can confirm to the Licensing Authority that your representation is withdrawn.

Yours sincerely

Michelle Hazlewood

Partner
Sent by Sue McCourt

C5

MHazlewood@john-gaunt.co.uk | www.john-gaunt.co.uk
T: 0114 266 8664 | M: 07801 924 301 | F: 0114 267 9613



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

From: Pitts Steven [<mailto:Steven.Pitts@sheffield.gov.uk>]

Sent: 07 February 2018 09:30

To: Michelle Hazlewood <MHazlewood@john-gaunt.co.uk>

Cc: licensingservice <licensingservice@sheffield.gov.uk>; Lobo Rose <Rose.Lobo@sheffield.gov.uk>

Subject: New Licence Application Kin 2 Alma Street sheffield S3 8SA serial no 618782

Dear Michelle,

Licensing act 2003

Application for a New Premises Licence

Premises: Kin, Kelham Works, Alma St., Sheffield S3 8SA

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

I will require the proposed condition set out below to be imposed on the premises licence in respect of Public Safety and my representation will be withdrawn subject to the condition being agreed.

1. A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment.

Other issues that are not required to be conditions on the licence :

1. Suitable slip-resistance to floor surface finishes must be incorporated into the design of the premises. For bars and associated areas within the premises (public areas and thoroughfares), a minimum pendulum wet test (in accordance with the 'UK Slip Resistance Group' document, Issue 3, 2005) rating of 36 or above, will be required. Compliance with DIN measurement standard R11 minimum may achieve the appropriate slip resistance.

Further advice available from www.hse.gov.uk/slips/architects.htm

2. A satisfactory Electrical Certificate shall be required for the fixed wiring.
3. A Gas Safe Certificate shall be required if appropriate.

Please confirm as a matter of urgency if you are able to agree on behalf of your client to the proposed condition, however, should you require any further information please do not hesitate to contact me

Appendix D

Hearing notices and Regulations



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

Stephen Fields Limited
Yorkshire House
East Parade
Leeds
LS1 5BD

C/O John Gaunt & Partners

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

The Sheffield City Council being the licensing authority, on the 12th January 2018 received an application in respect of the premises known as;

KIN Kelham Works 2 Alma Street Sheffield S3 8SA

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

- **5 x 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 **8th March 2018 10.00am**; 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: 16th February 2018

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**

Mr David Buttle

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 12th January 2018 received an application in respect of the premises known as;

Kin Kelham Works 2 Alma Street Sheffield S3 8SA

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

- **5 x 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 **8th March 2018 at 10.00am**; following which the Council will issue a notice of determination of the application.

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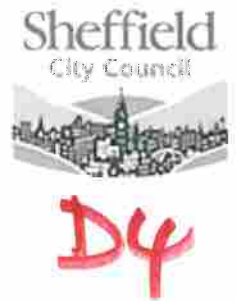
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Dated: 16th February 2018

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**

Mr Michael Sallot
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 12th January 2018 received an application in respect of the premises known as;

Kin Kelham Works 2 Alma Street Sheffield S3 8SA

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

- **5 x 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 **8th March 2018 at 10.00am**; following which the Council will issue a notice of determination of the application.

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Dated: 16th February 2018

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**

Ms Alice Clayton

[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 12th January 2018 received an application in respect of the premises known as;

Kin Kelham Works 2 Alma Street Sheffield S3 8SA

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

- **5 x 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 **8th March 2018 at 10.00am**; 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: 16th February 2018

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**

Ms Susan Page

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 12th January 2018 received an application in respect of the premises known as;

Kin Kelham Works 2 Alma Street Sheffield S3 8SA

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

- **5 x Public**

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

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Dated: 16th February 2018

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**

Ms Meredith Warren
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 12th January 2018 received an application in respect of the premises known as;

Kin Kelham Works 2 Alma Street Sheffield S3 8SA

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

- **5 x Public**

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

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Dated: 16th February 2018

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

NOTES

D9

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

DIO

- (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 – Hearing Procedure – Regulation 7 (1)

D11

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.