

Licensing Sub-Committee

Tuesday 16 October 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 Josie Paszek (Chair), Andy Bainbridge and Douglas Johnson
Lisa Banes (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 John Turner on 0114 273 4122 or email john.turner@sheffield.gov.uk

FACILITIES

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

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

**LICENSING SUB-COMMITTEE AGENDA
16 OCTOBER 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 - Site Gallery, 1 Brown Street, Sheffield S1 2BS**
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: 16th October 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.

SITE Gallery 1 Brown Street Sheffield S1 2BS

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 100/18

SITE Gallery (Media,Art,Photography) 1 Brown Street Sheffield S1 2BS

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 SITE gallery (Media,Art,Photography) Limited

2.2 The application, which was received on 24th August 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 2 Public

3.2 A responsible authority has agreed conditions with the applicant and these are attached to this report at Appendix C.

3.3 The applicant and objectors who made written representations 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.

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
5th October 2018

Appendix A

Application

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

A1

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.

I/We **SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD**
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/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			
SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD 1 BROWN STREET SHEFFIELD S1 2BS			
Post town	SHEFFIELD	Postcode	S1 2BS
Telephone number at premises (if any)		01142812077	
Non-domestic rateable value of premises		£31250	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input checked="" type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

A2

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

AB

(B) OTHER APPLICANTS

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

Name SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD
Address 1 BROWN STREET SHEFFIELD S1 2BS
Registered number (where applicable) CHARITY NUMBER 510322 (REGISTERED COMPANY NUMBER 1495927)
Description of applicant (for example, partnership, company, unincorporated association etc.) REGISTERED CHARITY REGISTERED PRIVATE COMPANY LIMITED BY GUARANTEE WITHOUT SHARE CAPITAL
Telephone number (if any) 01142812077
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	0	09 20 18

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

DD	MM	YYYY

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

Situated in the city's Cultural Industries Quarter, Site Gallery is a visual art gallery, venue and registered charity comprising a large gallery space, reception and shop, Café and Events Space to the ground floor. To the first floor and second floors are offices and business lets. The existing premises has undergone a refurbishment and extended into the adjacent building increasing the footprint and areas of licensable activity.

Site Gallery's licensable activities range from regulated entertainment and the sale of alcohol from the Café for consumption on and off the premises.

Site Gallery is a free entry attraction predominantly operating during the day time with evening openings for special events and to support the Café operation.

The new premises licence would replace the existing premises licence SY 0091 PR and cover both licensable activity within the refurbished existing premises and extend the licensable activity into the adjacent building.

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

A4

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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

AS

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 (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	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	09:00	01:00			
Sun	09:00	24:00			

Completed in error



24.8.18.

B**46**

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Films and moving image as part of an exhibition may be exhibited in the Gallery or Events Space		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	<u>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</u> (please read guidance note 6)		
Sat	09:00	01:00			
Sun	09:00	24:00			

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish						
Mon	09:00	24:00	<u>Please give further details here</u> (please read guidance note 4) we may hire out the Project Space to someone wanting to do a performance night					
Tue	09:00	24:00				Music may be amplified or unamplified		
Wed	09:00	24:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)					
Thur	09:00	24:00						
Fri	09:00	01:00	<u>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</u> (please read guidance note 6)					
Sat	09:00	01:00						
Sun	09:00	24:00						

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 (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	09:00	24:00	Recorded music as part of an exhibition may be played in the Gallery or Events Space Music would be both amplified or unamplified for exhibitions Café may also play recorded music		
Tue	09:00	24:00			
Wed	09:00	24:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	09:00	01:00			
Sun	09:00	24:00			

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	24:00	Please give further details here (please read guidance note 4) Dance and performance art may be performed in the Gallery or Events Space as part of an exhibition	Both	<input type="checkbox"/>
Tue	09:00	24:00			
Wed	09:00	24:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	09:00	01:00			
Sun	09:00	24:00			

H

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 Visual art exhibitions		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	24:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	24:00	Please give further details here (please read guidance note 4)		
Wed	09:00	24:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur	09:00	24:00	Non standard timings. Where you intend to use the premises for the entertainment of a 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)		
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	24:00			

All

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 (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	24:00	Please give further details here (please read guidance note 4) Late night refreshment may take place in the Gallery or Events Space		
Tue	23:00	24:00			
Wed	23:00	24:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	24:00			
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 6)		
Sat	23:00	01:00			
Sun	23:00	24:00			

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption -- please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00			
Thur	09:00	24:00			
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	24:00			
			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)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name JUDITH HARRY	
Date of birth	
Address 202 THE WHEEL ECCLESFIELD SHEFFIELD	
Postcode	S35 9ZB
Personal licence number (if known) 5359/2	
Issuing licensing authority (if known) BIRMINGHAM 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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	Non standard timings. Where you intend 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 6)
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	01:30	
Sat	09:00	01:30	
Sun	09:00	00:30	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

As a registered charity in receipt of public funding from Sheffield City Council, Arts Council England and a number of national trusts and foundations Site Gallery is a well-established and reputable organisation with a considerable public profile.

We want to continue to promote Sheffield as a city of Cultural excellence and increase engagement in cultural activities.

We will retain strong management controls with effective training of all staff and volunteer in all relevant policies and procedures as part of their induction and to ensure awareness of the premises license terms and the licensing objectives.

Please see separate Operating Schedule document enclosed with the application

b) The prevention of crime and disorder

Challenge 25 scheme for the café – staff fully trained in the scheme and their social and legal obligations and their responsibilities regarding the sale of alcohol.
 Alcohol and other drinks may not be removed from the premises in open containers
 No alcohol to be sold to drunk or intoxicated customers – signs behind cafe notifying customers
 Alcohol to be sold for consumption off the Premises to be sold in sealed containers only
 Consumption of alcohol bought off site not permitted to be brought on site
 Notice of taxis provision available and where nearest taxi rank is situated
 Accessible telephone available for staff to call Police or Site Gallery Office internally
 Use of Crime Reduction Partnership radio agreed through neighbours **Workstation/Showroom**
 Site Gallery operates a CCTV scheme monitoring all access and egress through the main entrance
 Close liaison with police particularly community policing and other bodies
 As appropriate Site Gallery will employ additional stewards and / or SIA badged security personnel for appropriate events
 We do not permit the use or sale of illegal substances
 Site Gallery has a maintained intruder alarm which is monitored 24 hour

c) Public safety

Site Gallery has a H&S policy which is updated annually with procedures relating to Fire safety and evacuation, Security e.g. suspicious packages or behaviour; Safeguarding and First Aid.
 Risk assessments are undertaken for all public areas and for each individual exhibition in relation to the safety of customers and staff on the premises
 Staff and volunteers trained in emergency and general safety precautions and procedures. Fire drills undertaken at regular intervals
 Staff trained in First Aid on site and first aid boxes available throughout the building during opening hours. Accident book available to record incidents
 Site Gallery has adequate lighting for the safety of public visitors and undertakes regular testing of the emergency lighting
 Internal and external lighting fixed to promote public safety.
 Annual PAT testing of electrical equipment
 Site Gallery has a fire alarm system which is tested weekly and is monitored 24hours
 All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary **accommodation**, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
 Safety checks of the building made daily ensure all exits kept clear of obstructions
 Accessible telephone available for staff to call Police or Site Gallery Office internally
 Use of Crime Reduction Partnership radio agreed through neighbours **Workstation/Showroom**
 Operate ticketed or clicker system to monitor occupancy
 During opening hours and for other events the Gallery is staffed appropriately to manage escape routes
 Café staff trained in food handling, provision and record keeping – temperature probe and record book on site
 Challenge 25 scheme for the café – staff fully trained in the scheme and their social and legal obligations and their responsibilities regarding the sale of alcohol.
 Alcohol and other drinks may not be removed from the premises in open containers
 No alcohol to be sold to drunk or intoxicated customers – signs behind bar notifying patrons
 An Incident Book kept on premises to record any occurrences of disorder or refused alcohol sales
 Free Potable Water Provided

d) The prevention of public nuisance

The nature of activity at Site Gallery is unlikely to cause nuisance.
 Control of noise levels. Noise levels will be closely monitored to prevent public nuisance – we have an existing obligation not to cause nuisance to our neighbours to the rear of our building.
 Challenge 25 scheme for the café – staff fully trained in the scheme and their social and legal obligations and their responsibilities regarding the sale of alcohol.
 Alcohol and other drinks may not be removed from the premises in open containers
 No alcohol to be sold to drunk or intoxicated customers – signs behind bar notifying patrons
 An Incident Book kept on premises to record any occurrences of disorder or refused alcohol sales
 Accessible telephone available for staff to call Police or Site Gallery Office internally
 Use of Crime Reduction Partnership radio agreed through neighbours **Workstation/Showroom**
 Site Gallery operates a CCTV scheme monitoring all access and egress through the main entrance

e) The protection of children from harm

Young People are a core audience group for Site Gallery and part of our remit is to develop activities and artistic programmes for young people particularly through our funded 'Society of Explorers' Programme

Risk assessment is undertaken for each exhibition and education activity.

We hold a child protection policy and key staff are trained in child protection and have relevant DBS checks.

Unattended minors (under 12) are not permitted into the building

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.

No alcohol to be sold to under 18's – Challenge 25 policy in place

Accessible telephone available for staff to call Police or Site Gallery Office internally

Use of Crime Reduction Partnership radio agreed through neighbours Workstation/Showroom

Site Gallery operates a CCTV scheme monitoring all access and egress through the main entrance

A16

Checklist:

Please tick to indicate agreement

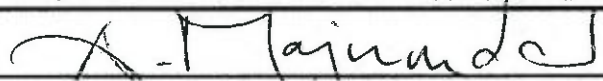
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see 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	
Date	23/8/18
Capacity	Trustee

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	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

DAVE PALMER, OPERATIONS & FRONT OF HOUSE MANAGER
SITE GALLERY
1 BROWN STREET
SHEFFIELD
S1 2BS

A17

Post town	SHEFFIELD	Postcode	S1 2BS
Telephone number (if any)	01142812077		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

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. 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.

A18

Consent of individual to being specified as premises supervisor

I: *[full name of prospective premises supervisor]* JUDITH HARRY

Of: *[home address of prospective premises supervisor]* 202 THE WHEEL
ECCLESFIELD
SHEFFIELD S35 9ZB

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for:

[type of application]
PREMISES LICENCE

made by: *[name of applicant]*
SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD

relating to premises licence number: *[number of existing licence, if any]* SY 0091 PR

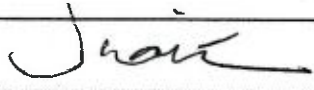
for: *[name and address of premises to which application relates]* SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD
1 BROWN STREET
SHEFFIELD S1 2BS

and any premises licence to be granted or varied in respect of this application made by: *[name of applicant]*
SITE GALLERY (MEDIA, ART, PHOTOGRPAHY) LTD

concerning the supply of alcohol at: *[name and address of premises to which application relates]* SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD
1 BROWN STREET
SHEFFIELD
S1 2BS

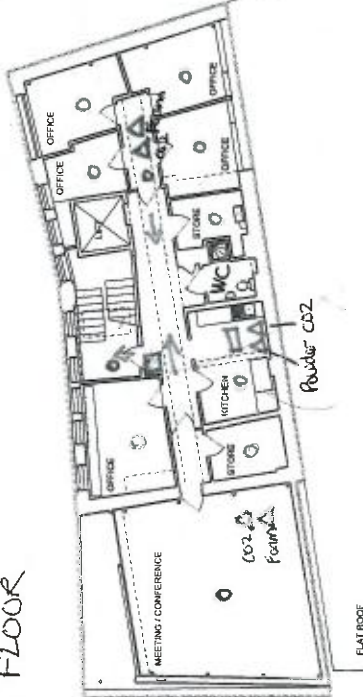
I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below:

Personal licence number: <i>[insert personal licence number, if any]</i>	5359/2
Personal licence issuing authority: <i>[insert name and address and telephone number of personal licence issuing authority, if any]</i>	BIRMINGHAM CITY COUNCIL

Signed 
Name (please print) JUDITH HARRY

Date 23 - 8 - 18
Page 26

SITE GALLERY SECOND FLOOR



- △ Fire extinguishers
- Fire blankets
- Smoke detectors
- Break glass fire call point

SITE GALLERY PREMISES - LICENSABLE AREA



NO	DATE	REVISION
01	15/03/19	FINAL DRAWING
02	15/03/19	CONSTRUCTION MARKS
03	15/03/19	CONSTRUCTION MARKS
04	15/03/19	CONSTRUCTION MARKS
05	15/03/19	CONSTRUCTION MARKS
06	15/03/19	CONSTRUCTION MARKS
07	15/03/19	CONSTRUCTION MARKS
08	15/03/19	CONSTRUCTION MARKS
09	15/03/19	CONSTRUCTION MARKS
10	15/03/19	CONSTRUCTION MARKS

PROJECT: SITE GALLERY
 DRAWING TITLE: SITE GALLERY EXTENSION
 DRAWING NO: EXISTING SECOND FLOOR
 DATE: 15/03/19
 SCALE: 1:100
 DRAWN: [Name]
 CHECKED: [Name]
 APPROVED: [Name]

DRDH Archite
 1 Highgate Street
 London EC1A 8BB
 T: +44 (0) 20 7106 8000
 www.drhdh.com

REG NO: 1022
 EXPIRES: 10-012

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A19

SITE GALLERY FIRST FLOOR OFFICES

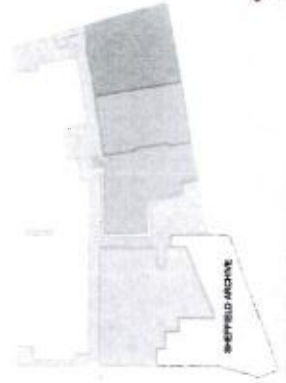
FIRE PLAN KEY
 ESCAPE DIRECTION
 COMPARTMENT FIRE LINE
 FIRE LOAD OR COMBUSTIBLE LINE
 FIRE LOAD RATING
 FIRE LOAD RATING
 WIND INDICATE WIND DIRECTION



- △ Fire extinguishers
- Smoke detectors
- Break glass fire call



PROJECT NO.	10000000
DATE	10/02/17
SCALE	1:100
PROJECT NAME	SITE GALLERY
CLIENT	DRDH Architects
DESIGNER	DRDH Architects
PROJECT NO.	90-101
REV	Z1



DEWSE PLAN - AVEC BUILDING
 NOTE: NO VISIBL TO STUDIOS ON ARCHIVE PERUS

A20

AZB

ANNEX 1

COPY OF EXISTING PREMISES LICENCE SY 0091 PR

ANNEX 2

SITE GALLERY PLAN OF THE PREMISES

ANNEX 3

OPERATING SCHEDULE

ANNEX 4

CONSENT OF INDIVIDUAL TO BE SPECIFIED AS PREMISES SUPERVISOR

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ANNEX 1

COPY OF EXISTING PREMISES LICENCE SY 0091 PR

THE LICENSING ACT 2003

Premises Licence No: SY 0091 PR

ISSUE NO: 3

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

PART 1 – Premises details

Site Gallery
1 Brown Street
Sheffield
S1 2BS

Telephone Number: 0114 2812077

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

1. Provision of regulated entertainment:

Films

Live Music

Recorded Music

Performances of Dance

Indoors

Sunday	09:00 to 24:00 hours
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day

2. Provision of entertainment facilities for:

Making Music

Dancing

Indoors

Sunday	09:00 to 24:00 hours
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day

3. Late Night Refreshment:

Indoors

Sunday	23:00 to 24:00 hours
Monday	23:00 to 24:00 hours
Tuesday	23:00 to 24:00 hours
Wednesday	23:00 to 24:00 hours
Thursday	23:00 to 24:00 hours
Friday	23:00 to 01:00 hours the following day
Saturday	23:00 to 01:00 hours the following day

4. Sale by retail of alcohol

a) for consumption on the premises

b) for consumption off the premises

Sunday	09:00 to 24:00 hours
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day

The opening hours of the premises are

Sunday	09:00 to 00:30 hours the following day
Monday	09:00 to 00:30 hours the following day
Tuesday	09:00 to 00:30 hours the following day
Wednesday	09:00 to 00:30 hours the following day
Thursday	09:00 to 00:30 hours the following day
Friday	09:00 to 01:30 hours the following day
Saturday	09:00 to 01:30 hours the following day

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

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

PLEASE NOTE:

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

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

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PART 2

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

Site Gallery (Media Art Photography) Ltd
1 Brown Street
Sheffield
S1 2BS

Telephone Number: 0114 281 2077

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

01495927

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

Ms Judith Harry
27 Nether Avenue
Sheffield
S35 8PW

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

Personal Licence Number: 5359/2
Issuing Authority: Birmingham City Council

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

Restricted

A28

This Premises Licence shall be in force from the 24th November 2005.

Issued on: 21st February 2006.

Steve Lonnie

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

Sheffield City Council – For Office use only	
Variation of Premises Licence	
Variation of DPS	No: 3 Issue Date: 10/02/2012
Transfer of Premises Licence	No: 3 Issue Date: 10/02/2012
Minor Variation	
Change of Name/Address	

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Appendix 1

A30

Annex 1A – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

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

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

2. In this section -

“children” means persons aged under 18; and

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

Mandatory Condition 4 (Section 21)

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

Annex 1B - Mandatory Conditions effective from 6th April 2010:

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

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

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

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

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

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

5. The responsible person shall ensure that-

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

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

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

Annex 2 – Conditions consistent with the operating schedule

1. There shall be no adult **entertainment** or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. The **café area will primarily operate as a restaurant** with seated dining, and facilities for **occasional consumption of alcohol without food**. Substantial food will be available up to one hour before sales of alcohol cease.
3. The remaining licensed areas will only be used for licensed purposes for organised events and pre-booked functions. Alcohol will only be sold or supplied to invited person and their bona-fide guests.
4. Persons shall only be allowed to remove drinks from the premises in sealed containers.
5. The Designated Premises Supervisor for these premises must be a registered member of Sheffield Licence Watch. Annual membership and meeting attendance should be maintained.

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

1. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
3. When dancing is to take place on the premises in an area not previously **approved** for dancing by the Authority, at least 14 days notice must be given to Environment and Regulatory Services (Health Protection Service) and the Licensing Authority, identifying the area to be used which should be suitable and adequate in size as the designated dance floor for the intended use, and dancing must not take place in that area unless approved by the Authority.
4. A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music and other entertainment.
5. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
6. 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.

A35

Annex 4 – Plans

Site Gallery
Date:

SG-F-03 A
16/01/2006



LICENSING ACT 2003

Premises Licence Summary ISSUE NO: 3

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

Premises licence number SY 0091 PR

Site Gallery
1 Brown Street
Sheffield
S1 2BS

Telephone Number: 0114 2812077

Licensable activities authorised by the licence:

1. Provision of regulated entertainment:

Films

Live Music

Recorded Music

Performances of Dance

Indoors

Sunday	09:00 to 24:00 hours
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day

2. Provision of entertainment facilities for:

Making Music

Dancing

Indoors

Sunday	09:00 to 24:00 hours
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day

3. Late Night Refreshment:

Indoors

Sunday	23:00 to 24:00 hours
Monday	23:00 to 24:00 hours
Tuesday	23:00 to 24:00 hours
Wednesday	23:00 to 24:00 hours
Thursday	23:00 to 24:00 hours
Friday	23:00 to 01:00 hours the following day
Saturday	23:00 to 01:00 hours the following day

4. Sale by retail of alcohol

a) for consumption on the premises

b) for consumption off the premises

Sunday	09:00 to 24:00 hours
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day

The opening hours of the premises are

Sunday	09:00 to 00:30 hours the following day
Monday	09:00 to 00:30 hours the following day
Tuesday	09:00 to 00:30 hours the following day
Wednesday	09:00 to 00:30 hours the following day
Thursday	09:00 to 00:30 hours the following day
Friday	09:00 to 01:30 hours the following day
Saturday	09:00 to 01:30 hours the following day

PLEASE NOTE:

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

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

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

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

A38

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

Site Gallery (Media Art Photography) Ltd
1 Brown Street
Sheffield
S1 2BS

Telephone: 0114 281 2077

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

01495927

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

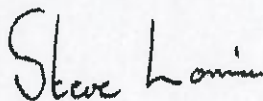
Ms Judith Harry

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

Restricted

The Premises Licence shall be in force from 24th November 2005

Issued on: 21st February 2006.



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

A39

ANNEX 2

SITE GALLERY PLAN OF THE PREMISES

A40

ANNEX 3

OPERATING SCHEDULE

ALH

ANNEX 4

CONSENT OF INDIVIDUAL TO BE SPECIFIED AS PREMISES SUPERVISOR

SITE GALLERY

Situated in the city's Cultural Industries Quarter, Site Gallery is a visual art gallery, venue and registered charity comprising a large gallery space, reception and shop, Café and Events Space to the ground floor. To the first floor and second floors are offices and business lets. The existing premises has undergone a refurbishment and extended into the adjacent building increasing the footprint and areas of licensable activity.

Site Gallery's licensable activities range from regulated entertainment and the sale of alcohol from the Café for consumption on and off the premises.

Site Gallery is a free entry attraction predominantly operating during the day time with evening openings for special events and to support the Café operation.

OPERATING SCHEDULE

The licensable activities

- Provision of regulated entertainment: Films (B), Live Music (E), Recorded Music (F), Performance of Dance (G) indoors
- Provision of entertainment facilities for: Making Music, Dancing indoors (H)
- Provision of late night refreshment - indoors (I)
- Sale by retail of alcohol - for consumption on the premises and for consumption off the premises (J)

The times when the activities will take place

Gallery

Tues - Wed: 11am - 6pm

Thurs: 11am - 8pm

Fri - Sat: 11am - 6pm

Sun: 11am - 4pm

Café

Tues - Fri: 8am

Sat - Sun: 9am

Any other times when the premises will be open to the public

Site Gallery currently holds a Premises Licence (for the existing premises) for Licensable Activities (Premises Licence No: SY0091 PR) as follows:

B, E, F, G, H, I, J, K Sunday to Thursday 09:00am - Midnight and Friday to Saturday 09:00am - 01.00 hours the following day during normal operating hours.

This application for a new premises licence would replace the existing premises licence SY 0091 PR and cover licensable activity (B, E, F, G, H, I, J, K) within the refurbished existing premises space and extend the licensable activity into the adjacent building.

Designated Premises Supervisor

Judith Harry

The steps proposed to be taken to promote the licensing objectives are provided below:

Prevention of crime and disorder

- Challenge 25 scheme for the café – staff fully trained in the scheme and their social and legal obligations and their responsibilities regarding the sale of alcohol.
- Alcohol and other drinks may not be removed from the premises in open containers
- No alcohol to be sold to drunk or intoxicated customers – signs behind cafe notifying customers
- Alcohol to be sold for consumption off the Premises to be sold in sealed containers only
- Consumption of alcohol bought off site not permitted to be brought on site
- Notice of taxis provision available and where nearest taxi rank is situated
- Accessible telephone available for staff to call Police or Site Gallery Office internally
- Use of Crime Reduction Partnership radio agreed through neighbours Workstation/Showroom
- Site Gallery operates a CCTV scheme monitoring all access and egress through the main entrance
- Close liaison with police particularly community policing and other bodies
- As appropriate Site Gallery will employ additional stewards and / or SIA badged security personnel for appropriate events
- We do not permit the use or sale of illegal substances
- Site Gallery has a maintained intruder alarm which is monitored 24 hours

Public Safety

- Site Gallery has a H&S policy which is updated annually with procedures relating to Fire safety and evacuation, Security e.g. suspicious packages or behaviour; Safeguarding and First Aid.
- Risk assessments are undertaken for all public areas and for each individual exhibition in relation to the safety of customers and staff on the premises
- Staff and volunteers trained in emergency and general safety precautions and procedures. Fire drills undertook at regular intervals
- Staff trained in First Aid on site and first aid boxes available throughout the building during opening hours. Accident book available to record incidents
- Site Gallery has adequate lighting for the safety of public visitors and undertakes regular testing of the emergency lighting
- Internal and external lighting fixed to promote public safety.
- Annual PAT testing of electrical equipment
- Site Gallery has a fire alarm system which is tested weekly and is monitored 24hours
- All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
- Safety checks of the building made daily ensure all exits kept clear of obstructions
- Accessible telephone available for staff to call Police or Site Gallery Office internally

- Use of Crime Reduction Partnership radio agreed through neighbours Workstation/Showroom
- Operate ticketed or clicker system to monitor occupancy
- During opening hours and for other events the Gallery is staffed appropriately to manage escape routes
- Café staff trained in food handling, provision and record keeping – temperature probe and record book on site
- Challenge 25 scheme for the café – staff fully trained in the scheme and their social and legal obligations and their responsibilities regarding the sale of alcohol.
- Alcohol and other drinks may not be removed from the premises in open containers
- No alcohol to be sold to drunk or intoxicated customers – signs behind bar notifying patrons
- An Incident Book kept on premises to record any occurrences of disorder or refused alcohol sales
- Free Potable Water Provided

Prevention of public nuisance

- The nature of activity at Site Gallery is unlikely to cause nuisance.
- Control of noise levels. Noise levels will be closely monitored to prevent public nuisance – we have an existing obligation not to cause nuisance to our neighbours to the rear of our building.
- Challenge 25 scheme for the café – staff fully trained in the scheme and their social and legal obligations and their responsibilities regarding the sale of alcohol.
- Alcohol and other drinks may not be removed from the premises in open containers
- No alcohol to be sold to drunk or intoxicated customers – signs behind bar notifying patrons
- An Incident Book kept on premises to record any occurrences of disorder or refused alcohol sales
- Accessible telephone available for staff to call Police or Site Gallery Office internally
- Use of Crime Reduction Partnership radio agreed through neighbours Workstation/Showroom
- Site Gallery operates a CCTV scheme monitoring all access and egress through the main entrance

Protection of Children from Harm

- Young People are a core audience group for Site Gallery and part of our remit is to develop activities and artistic programmes for young people particularly through our funded 'Society of Explorers'' Programme
- Risk assessment is undertaken for each exhibition and education activity.
- We hold a child protection policy and key staff are trained in child protection and have relevant DBS checks.
- Unattended minors (under 12) are not permitted into the building
- 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.
- No alcohol to be sold to under 18's – Challenge 25 policy in place

A45

- Accessible telephone available for staff to call Police or Site Gallery Office internally
- Use of Crime Reduction Partnership radio agreed through neighbours Workstation/Showroom
- Site Gallery operates a CCTV scheme monitoring all access and egress through the main entrance

Appendix B

Objections
2 X Public

Gough Jayne (CEX)

From: David Beevers [REDACTED]
Sent: 20 September 2018 21:42
To: licensingservice
Subject: Site Gallery, Brown Street Licence Application
Categories: Julia Triandafillithis, Mick Crawshaw

31

Dear Sir,

I am sending this email with reference to the application from:-

SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD
1 BROWN STREET
SHEFFIELD S1 2BS

The owners of HL Studio and myself, David Beevers, would like to formally and strongly register an objection to any granting of a licence for regulated entertainment at the named address above, namely

FILMS, LIVE MUSIC, RECORDED MUSIC, PERFORMANCE OF DANCE, NOISY AUDIO INSTALLATIONS, PARTIES AND ANY OTHER FUNCTION WHICH WOULD CREATE LOUD NOISE AND ITS TRANSMISSION THROUGH THE BUILDING.

indeed anything that will have a noise impact on our studio and other tenants businesses which lay directly behind the gallery.

We aware that it is a condition of Site Gallery's lease, with Sheffield City Council, that they are not permitted to conduct any business activity that will have a detrimental affect on the other tenants in the building.

As the manager of HL Studio, we are one of the 3 commercial recording studios who will be impacted greatly by this activity, I need to state that it would impact greatly our recording facility and make use of our live room, which is closest to the gallery walls, difficult to use in these circumstances. We have already and continue to suffered interruption to our business due to unwanted noise created during the Site Gallery building works over the last 18 months. We are all very aware of how thin the walls are and how much sound leaks out of their unit.

As an art gallery, I wouldn't expect their business activities to include making noise that disrupts their neighbours ability to run their businesses..

I also have concerns over the provision of late night refreshments and the sale of alcohol until midnight / 1am the following day as I am concerned about the impact this could have on the overall security of the building.

I would be grateful of an **acknowledgement** of this statement and to be kept informed of all future developments with regard to this application.

Kindest regards
David Beevers

HL Studio
3 Brown Street
Sheffield
S1 2BS

Triandafillithis Julia

B2

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 20 September 2018 15:42
To: Crawshaw Michael (CEX); Triandafillithis Julia
Subject: FW: SITE GALLERY - Brown Street - Licence Application

From: Chris Palmer [REDACTED]
Sent: 20 September 2018 14:18
To: licensingservice
Subject: SITE GALLERY - Brown Street - Licence Application

Dear Sir,

I am writing with reference to the recent application from:-

SITE GALLERY (MEDIA, ART, PHOTOGRAPHY) LTD
1 BROWN STREET
SHEFFIELD S1 2BS

I would like to formally register an objection to the granting of a licence for regulated entertainment, namely

FILMS, LIVE MUSIC, RECORDED MUSIC, PERFORMANCE OF DANCE

Or indeed anything that will have a noise impact on the other tenants businesses.

I am aware that it is a condition of Site Gallery's lease, with Sheffield City Council, that they are not permitted to conduct any business activity that will have a detrimental affect on the other tenants in the building.

As the owner of one of the 3 commercial recording studios who will be impacted by this activity, I need to state that we would be unable to operate in these circumstances. We have already suffered losses and interruption to our business due to unwanted noise created during the Site Gallery building works over the last 18 months. I am very aware of how thin their walls are and how much sound leaks out of their unit.

As an art gallery, I wouldn't expect their business activities to include making noise that disrupts their neighbours ability to run their businesses..

I also have concerns over the provision of late night refreshments and the sale of alcohol until midnight / 1am the following day as I am concerned about the impact this could have on the overall security of the building.

I would be **grateful** of an **acknowledgement** of this statement and to be kept informed of all future developments with regard to this application.

Kindest regards

From: Hollis Georgina (CEX)
Sent: 27 September 2018 14:08
To: [REDACTED]
Subject: Objection to Site Gallery Licence Application
Attachments: Site Gallery, Brown Street Licence Application

Dear Sir,

I am emailing you with regards to the objection that you have submitted for the above premises.

In light of your comments received, I would like to inform you that the activities applied for mirror the current licensable activities of the Premises Licence, I can confirm that the Premises Licence was granted in February 2006 and I have contacted the Environmental Protection Service who have confirmed that no noise complaints have been received during the term of the current licence.

The applicant has applied for the Grant of a Premises Licence due to significant changes being made to the existing layout and extending the premises into next door increasing the footprint of the building and licensable area. The applicant has therefore been advised to apply for a new licence and should this application be successful, the existing licence would be surrendered.

I have discussed your representations with the Environmental Protection Service who have not made an objection to the application during consultation period. In light of your objection and the concerns you have raised, I have requested if conditions can be proposed to the applicant to assist in noise control at the premises, EPS have proposed the following conditions:-

- 1. All doors and windows shall be closed, save for access and egress or in case of emergency, when amplified sound is present in the premises.**
 - 2. Music should only be played within the building such that:**
 - (i) Noise breakout from the building to the site boundary should not exceed the ambient* noise levels by more than 3 dB(A) when measured as a 15 minute LAeq;**
 - (ii) Noise breakout from the building to the site boundary boundary should not exceed the ambient* noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute Leq;**
- *Where ambient noise level is the LAeq, 15 mins in the absence of the specific noise source (breakout from the premises).**
- 3. The DPS or designated member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons in the external area and access/egress.**
 - 4. The premises licence holder shall prominently display A5 notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion to respect the local neighbour's needs.**
 - 5. The premises licence holder shall prominently display A5 notices in all external areas reminding patrons to be quite whilst using the facilities provided and respect the local neighbour's needs.**

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Whilst I appreciate that the building works taking place over the last 18 months may have caused you and neighbouring properties some disruption - this part of your objection cannot be considered under the Licensing Act and the core objectives.

All representations made must relate to one or more of the following core objectives:-

- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm

The applicant has offered the following information within their operating schedule which will be placed onto the premises licence as conditions (should the application be granted):

- **The nature of activity at Site Gallery is unlikely to cause nuisance**
- **Control of noise levels - Noise levels will be closely monitored to prevent public nuisance**
- **we have an existing obligation not to cause nuisance to our neighbours to the rear of the building**

In light of the above proposals, please confirm if you would be in a position to withdraw your objection if the applicant was to agree to the additional conditions put forward by the Environmental Protection Service?

If you still wish for your representation to be put to the Licensing Sub-Committee, please also inform me. You will be invited to attend the Licensing Sub-Committee hearing to raise your objection and evidence any incidents where the operation of the premises may have impacted upon you.

Should you wish to discuss this matter further, please do not hesitate to contact me.

Kind Regards

Georgina

NEW
Pre-Application Advice & Consultancy Service
Do you need help with your application or just want it checking?
Then give us a call on 0114 273 4264
This new service starts on Monday 6th February 2017

Georgina Hollis
Licensing Enforcement & Technical Officer
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264
Fax: 0114 2734073

Appendix C

Agreed conditions
Environmental Protection Service

Hollis Georgina (CEX)

+ Noise Conditions
Highlighted
C/

From: Hollis Georgina (CEX)
Sent: 04 October 2018 13:50
To: 'Dave Palmer'; Judith Harry
Cc: Singh Bob
Subject: RE: FW: EPS Ref. 636096 - Site Gallery 1 Brown St - LAC2003 NEW

Hi Dave,

Thanks for your response,

I will attach a copy of your email to the file and **only the agreed conditions will be added to the licence.**

With regards to points below, I would ask that you contact Bob Singh to discuss and clarify point 2 and hopefully you will be able to confirm your position prior to a hearing taking place.

Points 4&5 – if you wish for these points to be considered by the Licensing Sub-Committee then this can be agreed there to if the signage is to remain up permanently or temporary. I have had no response from either of the objectors and so the application would need to be referred for a hearing.

Regards

Georgina

From: Dave Palmer [REDACTED]
Sent: 03 October 2018 09:27
To: Hollis Georgina (CEX); Judith Harry
Subject: Re: FW: EPS Ref. 636096 - Site Gallery 1 Brown St - LAC2003 NEW

Hi Georgina

Thanks for your earlier email.

As promised, please find our response to the conditions suggested by Bob for our Premises Licence.

* 1. All doors and windows shall be closed, save for access and egress or in case of emergency, when amplified sound is present in the premises. *

Yes, absolutely fine.

2. Music should only be played within the building such that:

(i) Noise breakout from the building to the site boundary should not exceed the ambient* noise levels by more than 3 dB(A) when measured as a 15 minute L_{Aeq} ;

(ii) Noise breakout from the building to the site boundary boundary should not exceed the ambient* noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute L_{eq} ;

Could you provide further clarification to this as to how best to measure this and also what it means in terms of volume?

C2

*Where ambient noise level is the $L_{Aeq, 15 \text{ mins}}$ in the absence of the specific noise source (breakout from the premises).

3. The DPS or designated member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons in the external area and **access/egress**.

Yes, absolutely fine.

4. The premises licence holder shall prominently display A5 notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion to respect the local neighbour's needs.

Yes, happy to do so for events, but would not wish to have permanent signs always on display as such events will be few and far between.

5. The premises licence holder shall prominently display A5 notices in all external areas reminding patrons to be quiet whilst using the facilities provided and respect the local neighbour's needs. We are primarily a day time art gallery and not a music venue. Such signs would be incongruous with an art gallery. Events where noise would be an issue would happen very rarely (approx 6 times a year) and the capacity for such events is only 80 people. We are also located opposite an all night club. Such signage does not seem appropriate for a daytime art gallery.

I hope this of some help and do get in touch if you need anything else. Thank you for all your help.

With best wishes,

Dave

--
Dave Palmer
Operations and Front of House Manager
Site Gallery, 1 Brown Street, Sheffield S1 2BS

t: 0114 281 2077 / m: 07766258820
www.sitegallery.org



On 1 October 2018 at 09:02, Hollis Georgina (CEX) <Georgina.Hollis@sheffield.gov.uk> wrote:

Hi David –if you can do as soon as possible as we have statutory time scales and it would help me formulate a further response to the objectors.

Kind Regards

Appendix D

Hearing notices and Regulations

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

DJ

Dave Palmer
SITE Gallery
1 Brown Street
Sheffield
S1 2BS

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 24th August 2018 received an application in respect of the premises known as;

SITE Gallery 1 Brown Street Sheffield S1 2BS

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

- **2 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 Tuesday **16th October 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: 5th October 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**

D2

Chris Palmer

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 24th August 2018 received an application in respect of the premises known as;

SITE Gallery 1 Brown Street Sheffield S1 2BS

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

- **2 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 Tuesday **16th October 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: 5th October 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**

DB

Dave Beevers

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 24th August 2018 received an application in respect of the premises known as;

SITE Gallery 1 Brown Street Sheffield S1 2BS

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

- **2 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 Tuesday **16th October 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: 5th October 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

D4

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

D5

- (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)

DL

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.