

Licensing Sub-Committee

Tuesday 13 August 2019 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 Dawn Dale, Roger Davison and Bob Pullin
Vickie Priestley (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
13 AUGUST 2019**

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 - Barrowboy Bar, 453 Abbeydale Road, Sheffield, S7 1FS**
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Domo Restaurant, Eagle Works, 34-36 Cotton Mill Walk, Kelham Island, Sheffield, S3 8DH**
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.

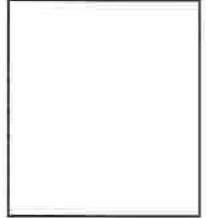
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's 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: 13th August 2019 - 10am

Subject: Licensing Act 2003

Author of Report: Jayne Gough

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

Barrowboy Bar, 453 Abbeydale Road, Sheffield, S7 1FS

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: 62/19

Barrowboy Bar, 453 Abbeydale Road, Sheffield, S7 1FS

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

2.1 The applicants are Charles Marks and Morgan Davies.

2.2 The application, which was received on 14th May 2019, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing. A copy of the full plan will be available at the hearing as it is too large and deteriorates on reduction.

2.3 A copy of the current Premises Licence is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

3.1 A representation concerning the application has been received from the following and are attached at Appendix 'C':

1 Responsible Authority – Environmental Protection Service

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

3.3 Throughout the consultation, it was noted that the applicants did not apply to vary the hours for Recorded Music, yet advertised this as being included on the public notices at the premises and in the newspaper. Officers asked for this to be changed to reflect the correct requirement in the application, but this was never confirmed by the applicant within the consultation period, therefore Recorded Music is NOT for consideration within the remit of this Variation application, with timings remaining as they were prior to application.

3.4 The applicants have been advised that if they wish to vary the hours for Recorded Music, they will need to submit a further application to do this.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARING REGULATIONS

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

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

6.3 Attached at Appendix 'D' is the following:

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with conditions.

9.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

9th July 2019

Appendix A

The Application

DA to
Carol on
20/5/19
epc

Application to vary a premises licence under the Licensing Act 2003

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.

190
4 MAY 2019
TAZ 206 P4AV 62
15151R

You may wish to keep a copy of the completed form for your records.

I/We Charles Marks and Morgan Davies

(Insert name(s) of applicant)

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

Premises licence number SY 2607 PR

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Barrowboy Bar 453 Abbeydale Road			
Post town	Sheffield	Postcode	S7 1FS

Telephone number at premises (if any)	07896148796
Non-domestic rateable value of premises	£9000 (but Small Business Relief means we pay £0)

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	Sheffield	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

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Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Variation to the on-premise licensing hours of Barrowboy Bar, 453 Abbeydale Road.

This would be executed in line with licensing objectives and obligations.

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

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the <u>playing of recorded music</u> take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please <u>give further details here</u> (please read guidance note 5)		
Mon					
			State any <u>seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the <u>playing of recorded music at different times to those listed in the</u> <u>column on the left, please list</u> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)	
Mon				
Tue				
Wed				
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur			<u>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</u> (please read guidance note 7)	
Fri				
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)</p> <p>Extra hour for seasonal variation based on daylight saving time.</p> <p><u>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</u> (please read guidance note 7)</p>		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	00:00			

K

<p>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 10).</p> <p>No relevant services, activities or other entertainment.</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)	
Day	Start	Finish	Extra hour for seasonal variation based on daylight saving time.	
Mon	10:00	00:15		
Tue	10:00	00:15		
Wed	10:00	00:15		
Thur	10:00	00:15		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 7)
Fri	10:00	01:15		
Sat	10:00	01:15		
Sun	10:00	00:15		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

I have not yet received the documentation through the post, but have the premises licence number SY 2607 PR.

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

a/ no selling of alcohol to underage people b/ no drunk and disorderly behavior on the premises area c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behaviour e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

- CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.
- Not selling of alcohol to drunk or intoxicated customers.
- Prevention and vigilance in illegal drug use at the retail unit area.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after

11.00pm. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

Checklist:


Please tick to indicate agreement

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

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	25 March 2019
Capacity	Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	25 March 2019
Capacity	Director

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Charles Marks [REDACTED]			
Post town	Sheffield	Post code	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Appendix B

Current Premises Licence

Licensing Act 2003 Premises Licence

Issue No: 1

SY002607 PR

LOCAL AUTHORITY



Licensing Service
Place Portfolio
 Block C Staniforth Road Depot
 Staniforth Road
 Sheffield
 S9 3HD
 Tel: 0114 2734264
 Email: licensing@sheffield.gov.uk
 Website: www.sheffield.gov.uk/licensing

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

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Barrowboy

453 Abbeydale Road, Sheffield, S7 1FS.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To	
F. Playing of recorded music (Indoors)		10:00am	11:00pm	
	Sunday	10:00am	11:00pm	
	Monday	10:00am	11:00pm	
	Tuesday	10:00am	11:00pm	
	Wednesday	10:00am	11:00pm	
	Thursday	10:00am	Midnight	
	Friday	10:00am	Midnight	
	Saturday	10:00am	Midnight	Activity permitted for 1 additional hour
I. Late night refreshment (Indoors)	Sunday Prior to a Bank Holiday			
	Friday	11:00pm	Midnight	
	Saturday	11:00pm	Midnight	
	Sunday Prior to a Bank Holiday			Activity permitted for 1 additional hour
J. Supply of alcohol for consumption ON the premises only		10:00am	11:00pm	
	Sunday	10:00am	11:00pm	
	Monday	10:00am	11:00pm	
	Tuesday	10:00am	11:00pm	
	Wednesday	10:00am	11:00pm	
	Thursday	10:00am	Midnight	
Friday	10:00am	Midnight		



Licensing Act 2003 Premises Licence

Issue No: 1

SY002607 PR

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
J. Supply of alcohol for consumption ON the premises only continued ...			
	Saturday	10:00am	Midnight
	Sunday Prior to a Bank Holiday		

Activity permitted for 1 additional hour

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	10:00am	Midnight
Monday	10:00am	Midnight
Tuesday	10:00am	Midnight
Wednesday	10:00am	Midnight
Thursday	10:00am	Midnight
Friday	10:00am	1:00am
Saturday	10:00am	1:00am

Sunday Prior to a Bank Holiday

Opening permitted for 1 additional hour

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

- J. Supply of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Morgan Davies

6 Cliffe View Road, Sheffield, S8 9DP

morgan.davies89@gmail.com

Charles Ralph Marks

6 Cliffe View Road, Sheffield, S8 9DP

charlesmarks@mac.com

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Charles Ralph MARKS

6 Cliffe View Road, Sheffield, S8 9DP

Licensing Act 2003 Premises Licence

Issue No: 1

SY002607 PR

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: **SY06833**

Issued by: **Sheffield**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

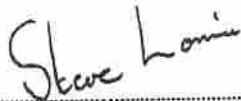
Restricted

LICENCE DATES

Licence first effective date: **10 August, 2018**

This Premises Licence shall be in force from: **10 August, 2018**

Issue date of this licence: **27 March, 2019**



Steve Lonnia
Head of Licensing Services
On behalf of Sheffield City Council (Issuing Licensing Authority)



**Licensing Act 2003
Premises Licence**

Issue No: 1

SY002607 PR

ANNEXES

Annex 1A - Mandatory Conditions**Mandatory Condition 1 (Section 19 ss 2)**

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

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

Annex 1B - Mandatory Condition effective from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.



ANNEXES continued ...

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

- 1.-(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.



ANNEXES continued ...

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 premises shall operate the 'Challenge 25' scheme and staff will be required to undertake ID checks as appropriate.
3. A CCTV system with recording option will be installed to monitor the entrances, exits and other parts of the premises.
4. No children will be allowed in the premises after 5pm and all children are to be accompanied and supervised by a responsible adult.
5. A refusals log book will be kept upon the premises at all times and shall be made available for inspection when required by persons authorised by the Licensing Act 2003.
6. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
7. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
8. The movement of bins and rubbish outside the premises will be kept to a minimum after 10:00pm.
9. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner to avoid causing disturbance to nearby residents.
10. The licence holder / DPS will ensure that staff who arrive early morning or depart late at night conduct themselves in such a manner to avoid causing disturbance to nearby residents.
11. Customers will be asked not to stand around talking loudly in the street outside the premises.
12. Any lighting on or outside the premises will be positioned and screened in such a way so as not to cause a disturbance to nearby residents.
13. Adequate waste receptacles for use by customers will be provided in the local vicinity.

Conditions agreed with South Yorkshire Police 17th July 2018

14. It is considered that for the nature of the operation plastic/polycarbonate drinking vessels will not be required however a risk assessment will be undertaken should unusual events take place and management deem it necessary.

15. It is considered that for the nature of the operation door supervisors will not be required however, a risk assessment will be undertaken should unusual events take place and if they consider it appropriate will employ the same.

Condition agreed with Environmental Protection Service 31st July 2018

16. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with sound limiter, the design and settings of which shall have received the prior written approval of the Environmental Protection Service.

Conditions agreed with Health Protection Service 7th August 2018

17. The maximum capacity shall not exceed 60 persons.

18. A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety within a reasonable time period after the premises has opened for business.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEX 4 - Plans

Licensing Act 2003 Premises Licence

Issue No: 1

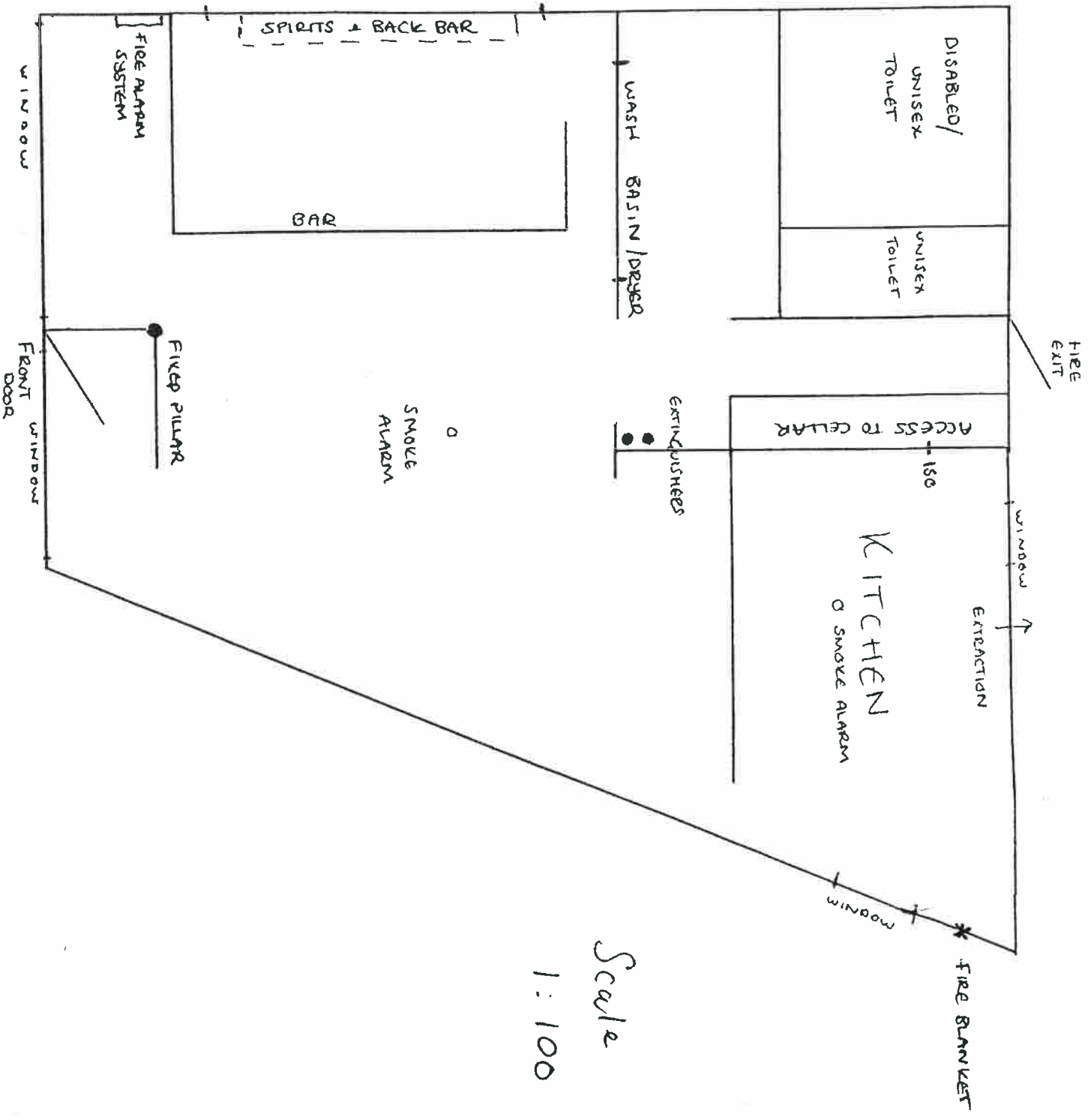
SY002607 PR

ANNEXES continued ...

Plan Reference: 453 Abbeydale Road, Sheffield, S7 1FS
Dated: 17/07/18 CM



453 Abbeydale Rd.
 Rd 170718 CM



Scale
 1:100

Appendix C

Environmental Protection Service Objection

Barrett Gareth

From: Round Jonathan
Sent: 04 June 2019 16:23
To: licensingservice; [REDACTED]
Cc: PlanningEnforcement; Barrett Gareth
Subject: VARIATION: BARROWBOY, 453 ABBEYDALE RD S7

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

I have the following representation to make with regards to Public Nuisance for the application to vary the premises licence for the above premises.

The premises are located below residential accommodation and across the road from other dwellings, I am therefore concerned that nearby residents could potentially be affected by excessive noise disturbance from noise breaking out of the premises, noise transferring through the building and noise from people outside the venue in the late evening, and later than under current arrangements.

The application is seeking to increase the hours for regulated entertainment, and increase the time the premises are open to the public. To protect the nearby residential accommodation both above the premises and across the road, when the planning consent for a change of use was granted, the applicant was required to carry out a noise survey prior to the bar operating, so that the buildings ability to restrict the noise breaking out of the premises and also transferring through the building was quantified. There is also a requirement for a validation report to be produced to ensure the effectiveness of any works that have been carried out.

Unfortunately neither of these planning conditions have been discharged. This application is also to allow opening of the premises to the public for over an hour later on all days of the week than the 18/00641/FUL consent permits.

Had the noise report been produced it would have highlighted any issues with the buildings ability to retain sound, suggested suitable solutions and would also ensure that acceptable internal noise levels were maintained within nearby residential accommodation. Without the assurance a suitable noise survey and validation report would give it is not easy to quantify the impact of the proposed increase in licensable activity on the nearby residents.

I will therefore have to object to the application as it currently stands.

I would welcome the opportunity to discuss the matter further with the applicant.

Regards,

Jon.

Jonathan Round
Environmental Health Officer

Sheffield City Council
Environmental Protection Service
5th Floor (North)
Howden House
1 Union Street

Appendix D

Hearing Notices / Regulations / Procedures



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

Charles Marks and Morgan Davies

[Redacted address information]

Sent via email: [Redacted email address]

The Sheffield City Council being the licensing authority, on the 14th May 2019 received your application in respect of the premises known as;

Barrowboy Bar, 453 Abbeydale Road, Sheffield, S7 1FS

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

1 Responsible Authority – Environmental Protection Service

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 13th August 2019 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th June 2019

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Officer

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



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

Jonathan Round
Environmental Protection Service
Sheffield City Council

Sent via email: jonathan.round@sheffield.gov.uk

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- 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.

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Dated: 27th June 2019

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Officer

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

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

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

I Jonathan Round

of the Environmental Protection Service, Sheffield City Council

hereby confirm that I have received the Notice of Hearing dated 27th June 2019 and notify you as follows (please complete):

I intend to attend the hearing at 10am on Tuesday 13th August 2019.

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I consider the hearing to be unnecessary because:
.....

I request that should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: Signed.....

Please see Regulation 8 overleaf

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

licensing@sheffield.gov.uk

Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

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

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

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

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

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

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

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



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 13th August 2019 11.30 am

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.

➤ Domo Restaurant Eagle Works, Kelham Island

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 82/19

Domo Restaurant Ltd – Eagle Works 34-36 Cotton Mill Walk, Kelham Island Sheffield S3 8DH

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 Domo Restaurant Ltd.

2.2 The application, which was received on 5th June 2018, is attached to this report labelled Appendix 'A'. The consultation period for the application was extended. The applicant had failed to advertise the application. The closing date therefore moved from 3rd July to 16th July 2019.

3.0 REASONS FOR REFERRAL

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

- 17 x Public Objections
- 1 x Environmental Protection Service
- 1 x Planning

3.2 South Yorkshire Police and the Environment Protection & Public Health have agreed conditions with the applicant and these are attached to this report at Appendix C.

3.3 Sheffield Safeguarding Children Safeguarding Partnership have made comments to the applicants and these are attached also at Appendix C.

3.4 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

13th August 2019

Appendix A

Application



Sheffield
Application for a premises licence
Licensing Act 2003

AI

For help contact
licensing@sheffield.gov.uk
 Telephone: 0114 2734264

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

 Address OS map reference Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Director of Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Director of Limited Company

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

dd mm yyyy

Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of 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.

New 70 seater Sardinian restaurant in the pedestrianized area of the new Little Kelham Development in Kelham Island. Intending to sell alcohol only for consumption on the premises (including outdoor terrace area). Property leased from Citu who hold the A3 planning

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

A7

Continued from previous page...

MONDAY

Start 08:30

End 23:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 08:30

End 23:00

Start

End

WEDNESDAY

Start 08:30

End 23:00

Start

End

THURSDAY

Start 08:30

End 23:00

Start

End

FRIDAY

Start 09:00

End 23:00

Start

End

SATURDAY

Start 09:00

End 00:00

Start

End

SUNDAY

Start 09:00

End 21:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music played over Sonos speakers via spotify app

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve we would like to be able to play music until 2am if possible

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

WEDNESDAY

Start 08:30 End 22:30

Start End

THURSDAY

Start 08:30 End 22:30

Start End

FRIDAY

Start 08:30 End 23:00

Start End

SATURDAY

Start 09:00 End 23:00

Start End

SUNDAY

Start 09:00 End 19:00

Start End

Will the sale of alcohol be for consumption:

- On the premises
- Off the premises
- Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for seasonal variations]

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years eve we would like to take last orders at 1am

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

Continued from previous page...

Name

First name Raffaele

Family name Busceddu

Date of birth [redacted] / [redacted] / [redacted]
dd mm yyyy

Enter the contact's address

Building number or name

Street [redacted]

District [redacted]

City or town sheffield

County or administrative area south yorkshire

Postcode [redacted]

Country United Kingdom

Personal Licence number (if known) LEEDS/PERL/06764/12

Issuing licensing authority (if known) Leeds City Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 08:30

End 23:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 08:30

End 23:00

Start

End

WEDNESDAY

Start 08:30

End 23:00

Start

End

THURSDAY

Start 08:30

End 23:00

Start

End

FRIDAY

Start 08:30

End 23:00

Start

End

SATURDAY

Start 09:00

End 00:00

Start

End

SUNDAY

Start 09:00

End 21:00

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

New Years Eve we'd like to stay open until 2am

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve we'd like to stay open until 2am

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

As Directors we hold between us over 30 years experience in the hospitality industry and will be running the establishment with the upmost professionalism ensuring all laws, licenses, and policies are adhered to at all times.

b) The prevention of crime and disorder

We will pay careful attention not to let any intoxicated guests into the premises especially at on weekend evenings and when football matches are showing or other such public activities which may lead to disorderly behaviour. If any such behaviour is witnessed by guests dining within the restaurant or terrace area will be escorted off the premises by management and authorities informed if necessary. The premises will be securely locked when closed with cctv and alarm system in place

c) Public safety

The restaurant is within a new residential and commercial area of sheffield- Little Kelham and we will pay our upmost card in upkeeping the safety of the residents of Little Kelham and the public in safety by carried out that said in section b aswell as other means such as making sure we have a high standard ventilation system in place, that all our kitchen equipement is new and serviced regularly, waste is disposed of in the correct way, and the restaurants health and safety and food safety procedures are being constantly maintained updated and adhered to.

d) The prevention of public nuisance

We have a high standard ventilation system in place fitted which also takes care of any noise and smell nuisance. We will keep music at low level background and our opening hours never exceed 00:00 with the exception of New Years Eve if granted.

e) The protection of children from harm

The restaurant is fitted out to a high standard with strict health and safety and food safety policies in place. Furniture has been manufactured to a high standard. Children will not be permitted behind the bar or inside the kitchen where any hazardous machinery is being kept

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[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).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /

Full name

* Capacity

* Date / /

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="DOMO"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Consent of individual to being specified as premises supervisor A20

I: Raffaele Buscieddu

Of: 6 mona avenue, Sheffield, s10 1ne

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

Premises licence

made by: Sarah-Elliott & myself (Raffaele Buscieddu)
DOMO RESTAURANT LTD

relating to premises licence number: [number of existing licence, if any]

for: Domo Restaurant Limited, Eagle Works, 34-36 Cotton Mill Walk, S3 8DH

and any premises licence to be granted or varied in respect of this application made by: [Raffaele Buscieddu & Sarah Elliott]
DOMO RESTAURANT LTD

concerning the supply of alcohol at: Domo Restaurant, Eagle Works, 34-36 Cotton Mill Walk, S3 8DH

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: LEEDS/PERL/06764/12
[insert personal licence number, if any]

Personal licence issuing authority: LEEDS CITY COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any] CIVIC HALL, LEEDS, LSI 1UR

Signed [Signature]

Name (please print) RAFFAELE BUSCIEDDU

Date 06.06.19

Appendix B

Objections

19 x Public

1 X Environmental Protection

1 x Planning

BI

① 0

Barrett Gareth

From: Pates Neal
Sent: 11 July 2019 14:28
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Domo Restaurant Ltd; 34-36 Cotton Mill Walk - Grant App

Importance: High

Sarah,

Sorry to be onto you again so soon, but it transpires that this is a developing situation and new information and new concerns are coming to light in respect of the proposed terrace use.

I am now aware of complaints from residents around the use of the terrace, and associated concerns over nuisance to residents. I am also aware of ongoing discussions around the use of the premises as defined in planning terms, and around a lack of parity between the controls exercised over the hours of use of the terrace at your premises, and those already imposed on the comparator premises now known as The Gatehouse (formerly The Bakery).

To ensure that suitable and equitable controls are maintained to control nuisance from the premises, and across the Little Kelham development, I am now requesting that you agree to volunteer conditions controlling noise and the use of terrace. The proposed wordings corresponds directly with those already included on the licence issued to the Gatehouse premises, and are hopefully therefore regarded as fair, equitable and appropriate;

- The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external areas and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.
- The premises licence holder shall prominently display notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion and to respect the local neighbours' needs.
- Customer use of the outdoor seating area at the rear of the premises shall cease at 1900 hours on all days. Outdoor furniture shall then be cleared away and stacked/stored to prevent unauthorised use.

I am advised that the period to resolve this matter expires on 16th July, so I'd be grateful if you could advise your position as soon as possible, so as to avoid any unnecessary scheduling of the matter for a Licensing sub-committee hearing.

Kind regards,

02

B2

From: Phill James [redacted]
Sent: 11 July 2019 13:57
To: Barrett Gareth
Subject: RE: Domo - Little Kelham

Thanks for your reply Gareth.

I'm a little confused however - you're saying that they haven't displayed a noticed but have until the 16th to do so? Or we have until the 16th to object?

I would certainly like to formally oppose the licence of outdoor drinking past 7pm (as per the Gatehouse) - I think it's fine for one off events and I think it's fine if it's with food... but I don't think it can be allowed to be used as an outdoor bar which is what has been happening almost every day to date. Random members of the public are drinking on what is essentially private land and our communities public space and it cannot be allowed.

Thanks

Phill James
PPC Operations Manager
Google Qualified Professional - Search, Display, Video, Mobile, Shopping & Analytics

ignition search

T: [redacted]
E: [redacted]
W: [redacted]
[redacted], Neepson Triangle
[redacted]



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Crawshaw Michael (CEX)

[Handwritten scribble]

[Handwritten '3' in a circle]

[Handwritten 'B3']

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 12 July 2019 07:42
To: Barrett Gareth; Crawshaw Michael (CEX)
Subject: FW: Licensing for Domo

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

From: Ellie harrison [REDACTED]
Sent: 11 July 2019 19:26
To: licensingservice
Subject: Licensing for Domo

To whom it may concern,

I have been told that we have an opportunity to comment on the licensing arrangements for the Domo restaurant. I live at [REDACTED] and my house backs on to the street where domo a few doors down. I'm thrilled that the restaurant is there and the staff are all lovely however i have noticed a big increase in rowdy customers leaving who are very loud on the otherwise quiet street between 11 and ~12.30pm and have been woken up several times by this.

While I don't want to hinder their business I notice that the restaurants with a good amount of outdoor seating areas such as the stew and oyster in fact de facto bars for the area and I'm really keen that this does not become the case at Domo. If it is possible to restrict the outdoor drinking times to deter people coming to drink rather than eat it would be much appreciated by the community.

Many thanks

Ellie Harrison
[REDACTED]

Crawshaw Michael (CEX)

~~3~~ 4
B4

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 12 July 2019 07:49
To: Barrett Gareth; Crawshaw Michael (CEX)
Subject: FW: Domo licence outdoor drinking

From: Nathan Hall [REDACTED]
Sent: 11 July 2019 19:13
To: licensingservice
Subject: Domo licence outdoor drinking

Hi,

I live next to the new restaurant that has opened in little kelham. I understand a licence application is in progress and would be opposed to the hours of this extending beyond 7pm. This is the case for the nearby Gatehouse bar and Domo is not situated on a public street like it is, rather it is nestled in the middle of a housing development.

Regards

Nathan Hall
[REDACTED]

Crawshaw Michael (CEX)

Handwritten initials in a circle

Handwritten number 5 in a circle

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 12 July 2019 09:00
To: Barrett Gareth; Crawshaw Michael (CEX)
Subject: FW: Domo, Little Kelham

Handwritten number 35

From: becca morris [REDACTED]
Sent: 12 July 2019 08:55
To: Barrett Gareth; licensingservice
Subject: Domo, Little Kelham

Good morning

I believe one of my neighbors in Little Kelham have been in touch with you regarding the outdoor seating, parking and noise issues with Domo which has recently opened in our estate. As I live in Little Kelham, and in very close proximity to Domo, I wanted to make comments regarding their application.

Whilst I think Domo is an excellent addition to Little Kelham, and I will certainly be supporting the restaurant, I have found since their opening there has been a lot of noise at night (11pm and sometimes later) by patrons drinking outside noisily and then leaving the estate loudly. This is during the week and weekends.

Staff are also emptying the bottles into the bins outside when we are trying to go to sleep late at night, again this is often at 11pm or later, which is incredibly frustrating. I feel this is something they could be doing in the morning when the restaurant opens at 8.30 am.

Parking within the estate has been a real issue. Cars are not permitted in Little Kelham and to gain access to a parking space we have had to pay £10,000 so I really don't appreciate the estate being full of cars! There have been issues with cars driving down the estate at more than 30 mph which has made the estate very anxious given there are a lot of children, cats and dogs who play. I am not sure that this will fall under your remit but just wanted to make the point so you are aware that this is happening.

The outdoor seating area is getting larger and larger which at times has made it difficult to get into my car parking space and also increases the amount of noise in the estate.

In summary, I think Domo is a great addition to Little Kelham, but their license should be the same as The Gatehouse at the bottom of the estate where patrons are not permitted to sit outside after 7pm. The Gatehouse has not caused residents any issues.

If you require any further information from me please do not hesitate to get in touch.

Best wishes
Becca Morris

[REDACTED SIGNATURE]

DB

(B) 6

Barrett Gareth

From: Daniel Revill [REDACTED]
Sent: 11 July 2019 19:01
To: Barrett Gareth
Subject: Domo Restaurant (Little Kelham)

B6

Good evening Garath,

I hope this email finds you well and that I have been given the correct address to send my concerns.

I would like to express my thoughts on the licensing arrangements for Domo restaurant at Little Kelham. Myself and many other residents are concerned that the outside seating space has far too much capacity and will also attract large crowds to congregate late at night in a densely occupied residential area.

Many neighbours have bedrooms at ground floor level adjoining the pedestrian streets around the estate.

Currently we have the gatehouse cafe at the entrance to Little Kelham who restrict the use of the outside area to a 7pm curfew. Myself and many of the residents feel this works really well and as such have a good relation with the owner. At the other end of Little Kelham we have the Stew and Oyster restaurant. It's outside space attracts very large crowds that quite often spill out beyond the boundary and far exceed the seating capacity. On a number of occasions, drunken and dissordily behaviour prevails and sometimes results in violent actions. The noise levels can be extremely high that effects the living standards for the residents who live just 1 floor above.

I would like to suggest that to continue the good spirit of Little Kelham and to ensure it continues to be welcoming to residents as well as the general public. That the outside licence for Domo is restricted to 7pm and its outside capacity to be reduced in line with the gatehouse capacity.

Kind regards

Danny Revill

Sent from Yahoo Mail for iPhone

RF

7

Barrett Gareth

From: Rebecca Freeman [REDACTED]
Sent: 11 July 2019 20:30
To: Barrett Gareth
Cc: Liam Freeman
Subject: Domo outside licensing

B7

Dear Gareth and whom it may concern,

I am writing as a concerned resident of Little Kelham Street in Sheffield; part of CITU's Little Kelham development.

I understand that Domo are in the process of applying for a license for outdoor seating, and I wish to request that the fact this is a residential location is taken into consideration when reviewing this application. Kelham Island generally has developed vastly in the ten years we have lived here, and whilst mostly positive, it has become a place often filled with antisocial behaviour from the drinking culture. As a resident within the Little Kelham development I am already concerned that the increased noise, antisocial behaviour and general littering has an adverse effect on my living environment. Domo seems like a great addition to the area, however it is crucial that the outdoor licensing is kept in line with that of the Gatehouse, to ensure residents can continue to live in close proximity to such establishments without impacting their home life. We cannot have a repeat of Stew and Oyster, which is overrun outside on a weekend and regularly hinders the living environment of residents who live within a close proximity. I therefore request Domo's outdoor license is restricted to 7pm.

Please don't hesitate to contact me with any questions.

Thanks and best wishes,
Rebecca Freeman
[REDACTED]

Handwritten scribble

8

Barrett Gareth

B8

From: Jess Thorpe [REDACTED]
Sent: 11 July 2019 21:26
To: Barrett Gareth
Subject: Domo restaurant Little Kelham Development - licensing & outdoor seating

Dear Gareth,

I live at [REDACTED], round the corner from Domo. The restaurant will likely be a great addition to the area, although I do strongly object to any license that will permit outdoor eating & drinking later than 7pm. This will be very disruptive for residents as it's right in the heart of the development.

A similar arrangement to the Gatehouse would work really well. And be a good compromise that would benefit the business as well as residents.

Yours
Jessica Thorpe

Barrett Gareth

From: Hope Dinah
Sent: 11 July 2019 15:52
To: Barrett Gareth
Cc: Pates Neal
Subject: RE: Domo Restaurant, Little Kelham

B9

Hello Gareth,

License application 175397, Eagle Works, Kelham Island

Thank you for getting back to me.

Having done a bit more digging, we have come to the conclusion that the outdoor seating area does not benefit from planning permission. Indicative seating was shown on the site plans associated with the original planning application (12/01401/FUL), however the approved site plan for the most recent Section 73 application (16/03102/FUL), i.e. the one under construction, does not show any provision for outdoor seating. Probably because it was not known which part of Eagle Works would be occupied by a restaurant use.

I intend to write to the restaurant (having already advised the landowner) to inform them of the need to submit an application for the provision of an outdoor seating area.

I would like to make it clear that we have no objection to the provision of an outdoor seating area adjacent the restaurant in principle. However, we would seek to define the extent of the seating area and would apply an hours of use condition designed to protect the amenities of the occupiers of neighbouring premises in the late evening. It should also be made clear that the outdoor seating area would be for diners as the unit only has an A3 (café/restaurant) which allows only ancillary drinking, i.e. it does not have consent for use as a bar.

I would therefore like to make formal representation raising significant concerns about the use of the proposed outdoor seating area in line with the opening hours requested.

Kind regards

Dinah Hope
Principal Planning Officer
Development Management
Sheffield City Council



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Location: Planning Service and Building Control Service, Howden House, 1 Union Street, SHEFFIELD S1 2SH

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Apply for building regulation permission online to: buildingcontrol@sheffield.gov.uk

Barrett Gareth

10 + 11

B10

From: David Granville [REDACTED]
Sent: 15 July 2019 17:07
To: Barrett Gareth
Cc: [REDACTED]
Subject: Domo licensing application/outdoor seating

Dear Mr Barrett,

We are writing to add our concerns to those of other Little Kelham residents over outdoor drinking outside the newly opened Domo restaurant in Eagle Works in the Little Kelham development in the evenings.

We wish to make it clear that we have no objections to the serving of alcohol on the premises but only with respect to the extent of the outside area and the times that this may be permitted. The restaurant is in the middle of a residential estate and some apartments are literally only a few metres from the front door of the premises.

As far as we are aware, no notices have been publicly displayed providing details of any licensing application.

Since opening, the restaurant has positioned around 20 tables well beyond the front elevation of the restaurant (my understanding is that two metres maximum is the norm) and over adjoining public highways. At least one deck chair and large bean bag is regularly positioned on the community boules court.

Drinking and eating has also been allowed in the communal outdoor spaces throughout the evening.

Cars and motorbikes are also regularly brought onto the estate and parked in the area adjoining the communal undercroft intended for residents and businesses of Little Kelham. Residents are not even allowed to do this as no public parking is permitted anywhere on the estate. It must be impressed upon Domo that it must ensure that its clients adhere to these restrictions.

Given the proximity of the residential units and restrictions placed on other similar establishments within the estate (The Gatehouse) surely you must accept that an 8pm restriction on outdoor drinking, possibly with an exception for occasional special event ie ones that are not habitual eg every Friday, Saturday or whenever, must be imposed.

As residents of Little Kelham we very much welcome the addition of businesses such as Domo but they will need to act responsibly if conflict with residents is not to occur due to homes and amenities being adversely affected by the issues detailed above.

Kind regards,

David Granville and Kath Harding [REDACTED]

Crawshaw Michael (CEX)

US
12

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 12 July 2019 07:51
To: Barrett Gareth; Crawshaw Michael (CEX)
Subject: FW: Domo late license

B11

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

From: [redacted] [mailto:[redacted]]
Sent: 11 July 2019 18:35
To: licensingservice
Subject: Domo late license

Hi,

My young family and I live on the little kelham development, and would certainly not entertain a late alcohol license for the Domo restaurant. We had a similar issue last year when the gatehouse opened and they also tried to apply for a late license, but I believe it was eventually agreed that a 7pm outdoor license was suitable for the development.

Kind regards,
Alex Thorpe [redacted]

Barrett Gareth

OS 14

From: Kevin Wall [REDACTED]
Sent: 12 July 2019 09:03
To: Barrett Gareth
Subject: Domo Little Kelham

B13

Hi Gareth.
My name is Kev Wall.
I live at [REDACTED] which is quite close to the new restaurant, Domo, which has recently opened.
I am concerned that the outside drinking area will cause a disturbance in the evening.
I would appreciate it if you could consider this when granting their licence and the hours it would be granted for.
I would be happy if the licence for outside drinking is limited to 7:00pm.
Kind regards, Kev.

[REDACTED]
Kevin Wall
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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Barrett Gareth

AC 15
B14

From: Andrew [REDACTED]
Sent: 13 July 2019 00:10
To: Barrett Gareth
Subject: Licensing Domo Restaurant

Dear Gareth,

I have been informed that i can email you my concerns regarding the Domo licensing.

I currently live a few doors from Domo, [REDACTED] to be precise.

I wish to see a limit to the outside licensing, currently 7pm for the Gatehouse which is respectfully honored.

I have been perturbed by the lack of understanding and communication from Domo over several incidents which include parking outside for owners, staff and customers, with Domo not working with residents to resolve issues.

My points are manager and staff parking, parking attendant not giving tickets but clear signs stating a restriction in parking.

A motorbike race by 6 motorbikes, all customers of Domo, who lined up 2 at a time and raced from parking outside Domo to the arch at Gatehouse, at speeds which were astonishing. I spoke to staff who responded that this was out of their hands, in my opinion showing a complete lack of empathy for residents, their children or pets. I would point out it was their responsibility to tell them NOT to park outside Domo, this was clearly visible to them, secondly to remind patrons that this is a residential area, and lastly to acknowledge that this was a serious issue to people living at Little Kelham Street.

I then also noted that patrons have been allowed to park on the area identified for playing Boules, and a table and chairs also on this area.

I note that the patrons have little or no regard to the noise levels when leaving at 11pm, alongside staff emptying the glass bottles from 11pm into the recycling, they must be aware of the noise levels this causes.

My last point is how many patrons show the upmost disregard for residents by peering into windows or into garages, this is not even done by accident but a blatant, we are passing and it is a right for us.

I am not against any company opening near us, the courtesy that has been shown by the management of the Gatehouse has been exemplary and in comparison, no regard to any resident has been noted.

I would like to see the restriction of outside space to be 7pm

I am happy to be contacted for additional information if required

Andrew

Sent from my Samsung Galaxy smartphone.

Barrett Gareth

16

From: joel latham [REDACTED]
Sent: 15 July 2019 08:03
To: Barrett Gareth; licensingservice
Subject: [Little Kelham Residents] Domo - licensing and outdoor space

BIS

Dear Gareth and the Sheffield Licensing Service,

I've been advised that any comments regarding Domo's licensing application should be directed towards you (see email).

As a resident at Little Kelham I would appreciate and very much welcome a limit on the following:

1. Outside operating hours
2. Outside space for restaurant patrons

Since Domo's opening earlier this month there has been a noticeable increase in noise levels and general disruption that is starting to have a detrimental impact on individual residents and the community. I won't go into detail but should no limits be set on the issues raised above I have concerns that the impacts will worsen and resident's lives will become further affected. I'm aware the Gatehouse café/bar at Little Kelham has a daily evening curfew of 19:00/20:00 hours and feel this is a reasonable position to take with Domo.

Regarding the amount of outside space, I appreciate an area should be made available to them and their customers however the amount currently used seems excessive. Personally, I would like to see the area reduced by half and as close to Domo's premises as possible.

I hope my comments are of use and thank you for your time.

If you could please acknowledge this communication and confirm Domo's licensing details once a decision is reached I'd be most grateful.

Kind regards,

Joel Latham

From: [REDACTED] on behalf of [REDACTED]
Sent: 11 July 2019 18:01
To: [REDACTED]
Subject: [Little Kelham Residents] Domo - licensing and outdoor space

Hi all,

A few people have expressed concerns about the amount of outdoor seating Domo have, and issues around late night noise and traffic/parking.

Just to update you - I have received the email below from the planning Officer today.

'I was made aware that Domo had opened and have today confirmed to them and CITU that the existing outdoor

Barrett Gareth

LG 20

From: Jim Latham [REDACTED]
Sent: 15 July 2019 09:56
To: Barrett Gareth; licensingservice
Subject: Domo's licensing application in Little Kelham Sheffield

(7/18)
B16

Dear Gareth & Sheffield Licensing Service,

We would like to add our comments regarding Domo's licensing application in Little Kelham Sheffield.

We regularly have friends and family, some with young children, who like to stay with our son. He lives in close proximity to Domo's.

They come to enjoy the museums, exhibitions and events that the city of Sheffield offers and then go home and spread the word.

So far they have all been extremely impressed by the city and the development at Kelham Island which was sold to our son as a place where a community spirit would be encouraged and young families welcomed.

This will no longer be the case if there is noise and drinking outside his residence late at night and their sleep and movements are disrupted.

We would ask you please to consider:-

- Limiting the outside space for Domo's use to allow at least some of it to remain free for the enjoyment of the residents
- Placing a curfew on the use of such outside space in line with the Gatehouse Bar.

Thank you for your attention.

Yours sincerely,

J T and Mrs H Latham

Barrett Gareth

Handwritten notes: "19" and "19" with a signature, and "B17" written vertically.

From: Grace Cole [redacted]
Sent: 16 July 2019 14:15
To: Barrett Gareth; licensingservice
Subject: Domo Outdoor Licensing

Hi,

I am emailing, on behalf of my household, to put forward some our comments on the potential outdoor licensing for the new restaurant in the Little Kelham development, Domo.

We are residents of the Little Kelham development and our house is approximately 10m from the restaurant. The current outdoor seating area of Domo has been utilised nearly every evening since they opened around a fortnight ago, and is very busy on Friday and Saturday nights. Patrons seem to be able to continue to drink alcohol in the outdoor space until the restaurant closes. As you might expect given the time of year, we have been having our windows open nearly continuously and the noise levels from the outside seating area have been rather intrusive, especially when it is busier. The patrons are also noisy when they leave the restaurant and walk to the entrance to the development past our house.

We also have concerns over the size of the current outdoor seating area - it is arranged all around the boules court and would restrict proper access to this if the seating area remained the same, residents are currently unable to use this due to the current stage of the building work.

We also have concerns relating to parking. Patrons have been parking near the restaurant, within the development, despite multiple signs stating that there is no parking allowed on the communal spaces of the development (excluding emergency vehicles). There was an incident recently where some people drove down Little Kelham Street, out of the development, on motorbikes very quickly - there are many children and pets living here and reckless driving poses a danger to them, as well as to the adults to a lesser extent. Parking officers do patrol but we think it would be reasonable for Domo to also take responsibility to ensure their patrons follow the restrictions.

Our last concern relates to smoking although we don't know if anything can be done about this. When people smoke outside there are times when we can smell it coming through our windows of our living space, which is on the 2nd floor.

Best Wishes,
Grace

[redacted signature]

Sent from [Mail](#) for Windows 10

Appendix C

Agreed conditions:
South Yorkshire Police
Environmental Protection Service
Health Protection
Comments from Sheffield Children
Safeguarding Partnership.

A CI

Barrett Gareth

From: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Sent: 18 June 2019 15:21
To: licensingservice; Barrett Gareth
Cc: CATHERINE JARVIS; Hague Julie
Subject: FW: Domo restaurant
Attachments: CCTV Min spec July 2016.doc

Dear all,

Following receipt of the new grant for Domo, Eagle Works, 34-36 Cotton Mill Walk, Kelham Island, we have now received agreement to the following conditions:

- -The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk.
-
- -Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection of the authorities.
-
- -There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
-
- -A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2016) . The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. . Members of the management team will be trained in the use of the system.
-
- -Persons under the age of 18 must be accompanied and supervised by an adult and are only permitted until 21.00 hours each day.
-
- -It is considered that for the nature of the operation door supervisors will not be required however, a risk assessment will be undertaken should unusual events takes place and if they consider it appropriate will employ the same.

Please place on the licence should it be granted.

Thanks

Kind regards,
Lucy

South Yorkshire Police Licensing Department
Moss Way Police Station
Moss Way
Sheffield
S20 7XX.

Licensing Team
Tracey Klein 0114 2523948 internal 718948
Lucy Adams (Monday/Tuesday) 0114 2523617 internal 718617
Ian Armitage 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163

CONDITION
C2

Crawshaw Michael (CEX)

From: Hollis Georgina (CEX) on behalf of licensingservice
Sent: 25 June 2019 14:17
To: Crawshaw Michael (CEX)
Cc: Barrett Gareth
Subject: FW: Domo restaurant

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]
Sent: 25 June 2019 14:09
To: licensingservice; Barrett Gareth; Hague Julie
Subject: FW: Domo restaurant

Dear All,

Following my recent email on the 18th June confirming agreed conditions for Domo, Eagles Works, we have now agreed an amendment with the applicant.

The condition

- Persons under the age of 18 must be accompanied and supervised by an adult and are only permitted until 21.00 hours each day.

Is now to be replaced with

- The Designated Premises Supervisor or other such responsible member of staff must be assigned to act as the co-ordinator for ensuring that risk management systems are operating and staff are trained in relation to safeguarding children at all times. This person must act in compliance with the training and guidance provided by the Sheffield Safeguarding Children Board and other relevant responsible authorities

Please can you add to the licence should it be granted?

Kind regards,
Lucy

South Yorkshire Police Licensing Department
Moss Way Police Station
Moss Way
Sheffield
S20 7XX.

Licensing Team
Tracey Klein 0114 2523948 internal 718948
Lucy Adams (Monday/Tuesday) 0114 2523617 internal 718617
Ian Armitage 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163
Alicia Marsden 0114 2523111 internal 718 111
Daniel Barraclough 0114 2523556 internal 718556
John O'Malley internal 714308

Website address - southyorks.police.uk

From: Sarah Elliott <info@domorestaurant.co.uk>
Sent: 20 June 2019 15:29
To: Gibbons Sean (DEL)
Cc: Barrett Gareth
Subject: RE: Domo Restaurant

Hi Sean ,

Many thanks for coming out to see us again. Yes we fully agree to all the below terms.

Our team are working this afternoon to bolt down the tables so we are putting this into immediate effect. Sam has also ordered the steal 'nosing' which will go on tomorrow.

I will have 93ft draw up the new plan showing our new seating as you saw it today with 45 seats and send this over asap along with Building Reg completion certificate.

Kind Regards

Sarah

Domo
34-36 Cotton Mill Walk
Eagle Works
Little Kelham
S3 8DH

From: Gibbons Sean (DEL)
Sent: 20 June 2019 15:20
To: Sarah Elliot
Cc: Barrett Gareth
Subject: Domo Restaurant

Dear Sarah and Raffaele,

Further to our meeting this afternoon and on Tuesday, the following must be addressed;

Plan

Please provide an amended plan to show the following;

- Maximum capacity of 60
- Show the back bench seating and tables fixed on the raised area
- Show tactile nosing's on the raised area

Conditions

I propose that the following conditions be attached to the premises licence;

1. The premises shall operate as a restaurant and the provision of alcohol shall be ancillary to dining with the occasional provision without meals.

CLF

2. A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety.

Could you please confirm whether these 2 conditions are agreeable?

Kind Regards
Sean

*Sean Gibbons BSc (Hons)
Environmental Health Officer
Health & Safety Inspector
Environmental Regulation
Sheffield City Council
5th Floor North
Howden House
1 Union Street
Sheffield
S1 2SH*

*Tel: 0114 273 4616
Fax: 0114 273 6464
Email: sean.gibbons@sheffield.gov.uk
www.sheffield.gov.uk*

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A CS

Crawshaw Michael (CEX)

From: Hollis Georgina (CEX) on behalf of licensingservice
Sent: 12 June 2019 09:29
To: Crawshaw Michael (CEX)
Subject: FW: Grant of Premises Licence - Eagle Works

Hi Mick

Not sure who the LETO checking is but could you place comments on file, this is not an objection

Thanks

From: Sarah Elliott [<mailto:info@domorestaurant.co.uk>]
Sent: 11 June 2019 15:32
To: Boo Magda (NCC)
Cc: DPHOffice; licensingservice
Subject: RE: Grant of Premises Licence - Eagle Works

Hi Magda,

Yes of course we are more than happy to provide alternatives to glass in the terrace area.

The terrace is completely uncovered (just a few sun parasols).

Can I ask if we need to display a certificate of any kind regarding the grant of this license?

Kind Regards

Raffaele

Domo
34-36 Cotton Mill Walk
Eagle Works
Little Kelham
S3 8DH

From: Boo Magda (NCC)
Sent: 11 June 2019 15:27
To: info@domorestaurant.co.uk
Cc: DPHOffice; licensingservice
Subject: RE: Grant of Premises Licence - Eagle Works

Dear Raffaele Busceddu

Thank you for giving Public Health sight of your licensing application for Domo at Eagle Works.

Your application refers to an external terrace where alcohol will be consumed. Could we request that only polycarbonate/plastic or other alternatives to glassware are used in external areas which abut pedestrian areas to avoid glass related injuries? Please could you clarify if this external area is an uncovered smoking/vaping area for patrons and if not, where you expect patrons to smoke/vape?

If you are able to confirm that this is acceptable then we have no further concerns about your application.

Thanks and best wishes

Barrett Gareth

From: Hague Julie
Sent: 20 June 2019 16:43
To: Sarah Elliott
Cc: Barrett Gareth; SHEFFIELD_Licensing
Subject: RE: Domo restaurant
Attachments: Parent carer leaflet FINAL DP7179 Family life.pdf; Children and Young Persons Act 1933.pdf; DFE Child Employment Guide 2009.pdf; Management of Health and Safety at Work Regulations 1999.pdf; SCC Byelaws 1998.pdf; The Working Time Regulations 1998 - S.I.1998 -1833.pdf; Work Permit Application V1.2.pdf

Dear Raffaele and Sarah

Thank you for providing a copy of your application to the Sheffield Safeguarding Children Board, as the responsible authority under the Licensing Act 2003 for the protection of children from harm.

I am already aware of the licence conditions you have agreed with South Yorkshire Police and I am writing to inform you that the Safeguarding Children Board does not object to the application, but recommends the following:

1. As the premises will operate as a family friendly restaurant, I recommend that the Designated Premises Supervisor, or other such responsible person, attends the multi agency safeguarding training. The training is free of charge and is delivered by safeguarding, police and trading standards officers. The next session is on 17th July between 1pm and 4pm and an invitation letter will be sent to you by separate email.
2. As the business will be 'family run' I have attached 2 sets of guidance for your attention:
 - a. An advice leaflet about family life at licensed premises
 - b. A set of guidance about children who work (paid or unpaid) at licensed premises.

I hope the above is helpful, if you have any questions about safeguarding children at the premises please don't hesitate to contact me.

Yours sincerely

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

Appendix D

Hearing notices and Regulations

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

Mr Raffaele Busceddu
[REDACTED]
[REDACTED]
[REDACTED]

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works Kelham Island Sheffield

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

- 17 x Public objections
- 1 x Environmental Protection Service
- 1 Planning

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 **13th August at 11.30am hours**; 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: 25th July 2019

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

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

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

Mr N Pates
Environmental Protection Officer
Sheffield City Council

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~17~~ x Public objections 17
- 1 x Environmental Protection
- 1 x Planning

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

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Dated: 25th July 2019

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

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



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

Mr Phil James
[REDACTED]
[REDACTED]
[REDACTED]
Sheffield
[REDACTED]

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- 17 x Public objections
- 1 x Environmental Protection
- 1 x Planning

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

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Dated: 25th July 2019

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

D4



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

Ms Ellie Harrison

[REDACTED]

Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- **14 x Public objections**
- **1 x Environmental Protection**
- **1 x Planning**

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

Signed:

Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

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

Mr Nathan Hall
[REDACTED]
[REDACTED]
[REDACTED]

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~19~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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

DB



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

Ms Becca Morris

[REDACTED]
Sheffield
[REDACTED]

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~19~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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

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Dated: 25th July 2019

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**

DA

Mr Daniel Revill
[REDACTED]

Sheffield
[REDACTED]

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~14~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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

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Dated: 25th July 2019

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**

DS

Mr Rebecca Freeman

[REDACTED]
Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~10~~ **1 x Public objections**
- **1 x Environmental Protection**
- **1 x Planning**

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

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Dated: 25th July 2019

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**

59

Mr Jessica Thorpe

[REDACTED]
Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~14~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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

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Dated: 25th July 2019

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

DIO

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

Dinah Hope
Principal Planning Officer
Sheffield City Council

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~12~~ **12 x Public objections**
- **1 x Environmental Protection**
- **1 x Planning**

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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**

D11

David Granville & Kath Harding
[REDACTED]
[REDACTED]
Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- 10 x Public objections
- 1 x Environmental Protection
- 1 x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 25th July 2019

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**

D12

Alex Thorpe
[REDACTED]
[REDACTED]
Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~19~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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**

513

Rachel Chan
[REDACTED]

Sheffield
S3 8DF

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~19~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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**

DI4

Kevin Wall

[REDACTED]
Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~14~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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**

DIS

Andrew
[REDACTED]

Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~19~~ **1 x Public objections**
- **1 x Environmental Protection**
- **1 x Planning**

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

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Dated: 25th July 2019

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**



Joel Latham
[REDACTED]

Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~14~~ **19** x Public objections
- **1** x Environmental Protection
- **1** x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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**

D17

Jim Latham

Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~19~~ x Public objections
- 1 x Environmental Protection
- 1 x Planning

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 13th August 11.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 25th July 2019

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**

D18

Grace Cole
[REDACTED]
Sheffield

Sent via email: [REDACTED]

Sheffield City Council being the licensing authority, on the 5th June 2019 received an application in respect of the premises known as;

Domo Restaurant Eagle Works

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

- ~~10~~ **19** x Public objections
- 1 x Environmental Protection
- 1 x Planning

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

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Dated: 25th July 2019

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

D19

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 –
- 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),
 - if given permission by the authority, question any other party; and
 - 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:–
- where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - 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 –
- refuse to permit that person to return, or
 - 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

D20

- (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.

D21

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

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

I Raffaele Busceddu

Of Domo Restaurant Limited.

hereby confirm that I have received the Notice of Hearing dated 26th July 2019 and notify you as follows (please complete):

I intend to attend the hearing at Town Hall Sheffield on 13th August 2019 at 11.30am

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I consider the hearing to be unnecessary because:

I request that should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: Signed.....

Please see Regulation 8 overleaf

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

licensing@sheffield.gov.uk

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

522

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.

Hi licensing,

Could you please now ensure that, in addition to the removal of regulated entertainments as previously agreed, the following four volunteered conditions are also included on any licence issued for the above premises, as agreed below;

The premises shall operate as a restaurant only, and the provision of alcohol shall be primarily with the provision of food or, on a limited basis, in the indoor bar area for diners awaiting a table. Alcohol provision on the outside terrace shall at all times be strictly in conjunction with seated dining only, and ancillary to the provision of a meal in all cases.

· Customer use of the outside terrace dining area shall cease at 2100 hours on all days. Outdoor furniture shall then be cleared away or secured in such a manner as to prevent subsequent unauthorised use.

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

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

Any questions, please let me know.

Neal.

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

From: "braffa2310@yahoo.com" <braffa2310@yahoo.com>

Date: Fri, 12 Jul 2019, 17:25

To: Pates Neal <Neal.Pates@sheffield.gov.uk>

Subject: Re: Domo Restaurant Ltd; 34-36 Cotton Mill Walk - Grant App

Hi Neal,

Many thanks for visiting us this morning. We welcomed the opportunity to discuss this matter with you in person.

We are fully willing to agree to all conditions outlined in your email and we are extremely grateful of your understanding in the ethos behind our business and what we are trying to bring to the community.

Kind regards

Sarah & Raffaele

Sent from my iPhone

On 12 Jul 2019, at 16:58, Pates Neal <Neal.Pates@sheffield.gov.uk> wrote:

Dear Sarah,

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