

Licensing Sub-Committee

Tuesday 1 October 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 Andy Bainbridge (Chair), Dawn Dale and Vickie Priestley
Cliff Woodcraft (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
1 OCTOBER 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. Hackney Carriage and Private Hire Licensing - Individual Cases***
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Two Thirds Beer Co., 434-436 Abbeydale Road, Sheffield, S7 1FQ**
Report of the Chief Licensing Officer

*(NOTE: The report at item 5 in the above agenda is not available to the public and press because it contains exempt information described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972 (as amended))

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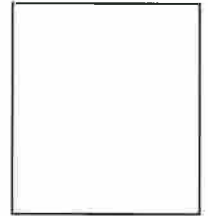
By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 1st October 2019 at 11am

Subject: Licensing Act 2003

Author of Report: Jayne Gough

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

Two Thirds Beer Co – 434-436 Abbeydale Road, Sheffield, S7 1FQ

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 90/19

Two Thirds Beer Co – 434-436 Abbeydale Road, Sheffield, S7 1FQ

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 applicants are a partnership of Mr Ben Stubbs, Mr Daniel Clare and Mr Adam Inns.

2.2 The application, which was received on 10th August 2019, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

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

- Health Protection Service, Responsible Authority for Sheffield City Council

3.2 South Yorkshire Police and the Environment Protection Service have agreed conditions throughout the consultation period with the applicant, and these are attached to this report at Appendix C.

3.3 Within the initial application, it was requested that licensable activities and opening hours were to be extended until Midnight on Sundays preceding Bank Holiday Mondays. This was not advertised on the public notices as part of the application, and therefore will not be applied to the licence. Standard hours of operation will therefore be applicable Monday to Sunday as per the application. In addition to this, the applicants agreed with South Yorkshire Police, that the opening hours for the premises will be extended by 30 minutes each day as to what is stated within the application form to allow for standard 'drinking up time'.

3.4 An officer from the Licensing Service has confirmed with the Highways Department as part of the consultation process, that the use of the proposed outside area as specified on the floorplans submitted with the application, will not require a Pavement Café Licence to facilitate the use as this land is part of the curtilage of the premises.

3.5 The applicant and objector 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 Statement of 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

Date: 1st October 2019

Appendix 'A'

Application

Rec -10/08/19
WP - 11613743327
£100



Sheffield
Application for a premises licence
Licensing Act 2003

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

Other telephone number

Include country code.

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

Is your business registered outside the UK? Yes No

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

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 Partner

Home country United Kingdom

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name 227

Street CHIPPINGHOUSE ROAD

District

City or town SHEFFIELD

County or administrative area SOUTH YORKSHIRE

Postcode S7 1DQ

Country United Kingdom

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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 Premises

Building number or name 434-436

Street ABBEYDALE ROAD

District

City or town SHEFFIELD

County or administrative area SOUTH YORKSHIRE

Postcode S7 1FQ

Country United Kingdom

Further Details

Telephone number 

Non-domestic rateable value of premises (£) 8,600

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...

Partner

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 / /

* 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)

Partner

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

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...

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

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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.

Two Thirds Beer Co. plan to develop the space at 434-436 Abbeydale Road into a modern bar, aimed primarily at the 21-45 year-old craft beer market in the South-West area of Sheffield. Its USP will be to serve high-quality craft and keg beers in a smaller than average, two-thirds unit measure, encouraging responsible drinking.

The bar space will take on a contemporary and industrial feel, that remains comfortable whilst making the most of its unrivalled views of the bustling Abbeydale-Sheldon Road junction to encourage its clientele to enjoy delicious

Continued from previous page...

drinks in luxurious and interesting surroundings.

The unit itself was most recently trading as Steel City Cakes, a vegan cake shop and cafe, and has been sadly vacant since December 2018. As per the attached drawings, alterations include the upgrade of WC facilities, the installation of a bar, beer drop, fixed and loose seating and an acoustically insulated ceiling. The premises will also provide provisions for disabled customers in the form of an accessible entrance ramp and separate disabled toilet.

There are plans for a small outside seating area to be provided in front of the unit adjacent to the Abbeydale Road footpath, as well as for some bottled/canned drinks to be able to be purchased to take home and be consumed by customers off site.

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

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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

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

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.

It is our understanding that recorded music played as background music between the hours of 08:00 - 23:00 does not require licence permission, however, during the later openings of Friday and Saturday, recorded music will be played at a background level until close at 00:00.

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.

The provision of recorded music as a background music may also extend past 23:00 on later openings on the days prior to bank holidays.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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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 End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
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.

Although initially we do not plan to open on Mondays, we would look to open on any/all bank holidays, many of which will be Mondays, and consequently supplying alcohol on those days.

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.

On days prior to bank holidays, we would look to remain open until 00:00, as we would on a normal Friday or Saturday night, and consequently supplying alcohol on those days.

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

Family name

Date of birth / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

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'.

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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.

None.

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Although initially we do not plan to open on Mondays, we would look to open on any/all bank holidays, many of which will be Mondays.

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.

On days prior to bank holidays, we would look to remain open until 00:00, as we would on a normal Friday or Saturday

Continued from previous page...

night.

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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 a licensed premise, we understand the importance and requirement to carry out our business and functions with a strict adherence to - and with a purpose of promoting and supporting - the four key licensing objectives. To promote all four licensing objectives, we will ensure:

- Strong management controls and effective training of all staff, so that they are aware of the premises licence and the requirements to meet the four licensing objectives, with particular attention to:
 - No selling of alcohol to underage people
 - No drunk and disorderly behaviour on the premises area
 - Vigilance in preventing the use and sale of illegal drugs
 - No violent and/or anti-social behaviour
 - No harm to children.
- A 30-minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.
- A refusal 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.
- Any detail shown on the plan that is not required by the licensing plans regulations, is indicative only, and subject to change at any time.

b) The prevention of crime and disorder

- A CCTV system will be installed to monitor the entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A trained member of staff will be on duty to operate the system whenever the premises are open. We will ensure that the CCTV system is maintained in working order.
- An alarm will be installed to protect the premises when closed/empty.
- We will ensure a clear notice is placed on the premises indicating the normal hours under the terms of the premises licence, during which licensable activities are permitted on site.
- Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
- No alcohol will be sold to customers who are, or appear, to be drunk or intoxicated.
- An electric exterior metal window shutter will be fixed to ensure that shop front is safe and secure at all times.
- Zero tolerance policy in relation to illegal drugs. - Already on

c) Public safety

- 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.
- Adequate access will be provided for emergency vehicles.
- 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
- Training and implementation of underage ID checks.
- Internal and external lighting fixed to promote the public safety objective.

Continued from previous page...

- A disabled entrance ramp and separate disabled toilet.

d) The prevention of public nuisance

- 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 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 waste 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.
- Suitable receptacles will also be provided for cigarette litter in the outside area.
- Customers will not be permitted to remove alcoholic drinks from the premises in open containers.

e) The protection of children from harm

- A "Challenge 25" policy will be employed whereby those who appear to be under the age of 25 and are attempting to purchase alcohol will be asked to provide identification (a card bearing the PASS hologram, a photographic driving license, or a passport will be the only accepted forms of identification). All staff will be well trained in this policy and records will be kept.
- No children will be allowed in the premises after 8pm and all children are to be accompanied and supervised by a responsible adult.

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 (£)

100.00

DECLARATION

1

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 / /
dd mm yyyy

Full name
* Capacity
* Date / /
dd mm yyyy

Full name
* Capacity
* Date / /
dd mm yyyy

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.

Continued from previous page...

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="Two Thirds Beer Co"/>
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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >



* required information

Section 1 of 3

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?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

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.

Is your business registered outside the UK? Yes No

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.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 3

CONSENT

Name Of Proposed Premises Supervisor

First name

Family name

Address Of Proposed Premises Supervisor

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

I hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the following application, and any premises licence to be granted or varied in respect of this application concerning the supply of alcohol at the premises

Type of application

For instance 'Application for a premises licence' or 'Variation of a premises licence'

Is the application or variation that this consent is being submitted in connection with being supplied electronically to the authority

- Yes No Don't know

Continued from previous page...

Reference number of
electronic application (if
known)

If the application or variation form is already
submitted, ask its applicant for the form's
'system reference' or 'your reference'.

sheffield-845866

Premises Licence Holder

Name

Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Premises

Premise licence number

Name of premises

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

Personal licence issuing
authority name

Address Of Personal Licence Issuing Authority

Building number or name

Street

District

City or town

County or administrative area

Postcode

Contact Details Of Personal Licence Issuing Authority

Telephone number

Section 3 of 3

DECLARATION

1

Continued from previous page...

* I confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I have set out in this form.

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 / /
dd mm yyyy

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/change-7> to upload this file and continue with your application.

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

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OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

Appendix 'B'

Objection:
Health Protection Service



Rhodes-Evans Emma (CEX)

From: Marshall Shelley on behalf of licensingservice
Sent: 05 September 2019 15:25
To: Rhodes-Evans Emma (CEX); Cannister Ryan
Subject: FW: Two thirds licence application
Attachments: Code of Practice - FINAL.doc

From: Gibbons Sean (DEL)
Sent: 05 September 2019 15:20
To: twothirdsbeer@gmail.com; licensingservice; Round Jonathan
Subject: RE: Two thirds licence application

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

Dear Ben, Dan and Adam

Thanks for your time yesterday with respect to the above licence application;

As discussed, at this stage I have no alternative than to object to the granting of the licence with respect to public safety.

The current proposed layout is unsatisfactory, and we discussed options yesterday in order to take this forward with a view to resolving matters.

I shall look forward to meeting you again onsite next week with Julie Murray, your Architect.

I will need the plan to indicate the following subject to discussions;

- I recommend you retain the existing W/C (currently shown as a store room) together with the new proposed accessible WC and male W/C & urinal.
- Current door orientation would allow up to 60 people (doors opening in).
- The entrance ramp should be reconfigured to comply with Part M of Building Regulations.
- The stepped access to the front should be explored. I believe you are looking at options with respect to decommissioning this point of access/egress. If to be decommissioned then must be reflected with respect to fire safety strategy. If to be decommissioned then please explore fitting steps to the main access point as well as ramp in accordance with Building Regs (Part M). however, see notes below regarding bar area..
- Please indicate the remit of the licensed area by drawing a red line or similar to demonstrate the licensed areas. Please introduce a legend on the plan to indicate this.
- Although we didn't get as far as discussing the bar area in detail, a couple of considerations. **A-** consider the concentration of people around the bar and circulation in and out of the premises. This could well become a pinch point if the other point of access/egress is removed. We need to discuss options further here. It may be better to retain both entrance doors and build a platform to the central front door as discussed yesterday **B** -a lowered servery section should be incorporated into the bar.

I shall need to discuss any appropriate conditions to be placed upon the premises licence.

Certification also required, which you may also wish to discuss with your landlord:

- Asbestos survey-should have been undertaken by duty holder/landlord.
- Electrical Installation Certificate/Condition Report on completion of works.
- Building Regulation Completion Certificate shall be required on completion of works.
- Structural Survey-for example, is the floor loading structurally sound with respect to use as a bar?

I have attached a copy of the Code of Practice for Licensed Premises (public safety section) for your information with respect to facilities and floor finishes etc.

I shall look forward to further discussions to resolve matters,

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*

From: Two Thirds [<mailto:twothirdsbeer@gmail.com>]
Sent: 04 September 2019 21:16
To: Gibbons Sean (DEL)
Cc: Round Jonathan
Subject: Re: Two thirds licence application

Hi Sean,

Thanks again to yourself and Jonathan for taking the time to meet us this evening. It was good to develop an understanding of what's required on our part.

As discussed, if you could send over a quick summary of the key points mentioned, I'll then pass these on to Julie ahead of next week's proposed meeting.

Could you also let me know which day works best for you to meet next week? 4pm Tues-Friday would work best for us.

Would it also be possible for you to send over the code of practice document that was referred to earlier?

Thanks again,
Ben

On Tue, Sep 3, 2019 at 4:25 PM Gibbons Sean (DEL) <Sean.Gibbons@sheffield.gov.uk> wrote:

Cheers Ben, see you tomorrow at 5,

Regards
Sean

From: "Two Thirds" <twothirdsbeer@gmail.com>
Date: Tuesday, 3 September 2019 at 16:23:18
To: "Gibbons Sean (DEL)" <Sean.Gibbons@sheffield.gov.uk>
Subject: Re: Two thirds licence application

Sure, no problem.

See you tomorrow!

Ben

On Tue, Sep 3, 2019 at 4:06 PM Gibbons Sean (DEL) <Sean.Gibbons@sheffield.gov.uk> wrote:

Hi Ben,
Could we do 5pm tomorrow?
Thanks
Sean

From: "Two Thirds" <twothirdsbeer@gmail.com>
Date: Tuesday, 3 September 2019 at 14:54:00
To: "Gibbons Sean (DEL)" <Sean.Gibbons@sheffield.gov.uk>
Subject: Re: Two thirds licence application

Afternoon Sean,

I can meet you at the premises with my two partners either tomorrow, or Thursday, from 5pm onwards.

Do either of those work for you?

Thanks,
Ben

On Tue, Sep 3, 2019 at 2:41 PM Gibbons Sean (DEL) <Sean.Gibbons@sheffield.gov.uk> wrote:

Hi Ben
I email further to the licence application for the above.

I need to meet you on site to discuss.

Do you have any availability in the next couple of days?

Thanks
Sean Gibbons
Environmental Health Officer

Sheffield city council
01142734616

Appendix 'C'

Agreed conditions:
South Yorkshire Police
Environmental Protection Service

SYP Agreed Conditions

Cannister Ryan

From: Tate Emily on behalf of licensingservice
Sent: 27 August 2019 15:20
To: Cannister Ryan
Subject: FW: Two Thirds Beer, 434-436 Abbeydale Road

Follow Up Flag: Follow up
Flag Status: Flagged

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]
Sent: 27 August 2019 15:13
To: licensingservice
Cc: CATHERINE JARVIS
Subject: FW: Two Thirds Beer, 434-436 Abbeydale Road

Hi All,

Following receipt of the above application we have now received agreement of the following conditions:

- 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.
- 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 takes place and management deem it necessary.
- Use of the external area to cease at 21.00 hours daily.
- 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 2019) . The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.

They have also clarified their hours:

- You mention a 30 minute drinking up time however, this isn't reflected in your alcohol hours which are the same as opening. Please can you confirm whether you wish to amend these hours? Yes, the opening hours should be extended by 30 mins, this is simply to allow customers to use the toilet facilities and disperse from the premises.
- Sunday opening hours cease at midnight however, alcohol finishes at 23.00 hours, is this an error? Please confirm if opening hours should be the same as alcohol? Opening hours should cease at

23.00, except for Sundays prior to a bank holiday, where we would look to remain open until 00:00, as caveated in the application.

I'm unsure if you'll need this info direct from the applicant.

Please place the conditions on 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
Catherine Jarvis (Wednesday/Thursday/Friday) 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



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

From: Two Thirds [mailto:twothirdsbeer@gmail.com]
Sent: 20 August 2019 22:43
To: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Cc: Cannister Ryan <Ryan.Cannister@sheffield.gov.uk>; licensingservice <licensingservice@sheffield.gov.uk>
Subject: Re: Two Thirds Beer, 434-436 Abbeydale Road

Hi Lucy,

Apologies for the confusion - I've added my comments in red below, which should hopefully help clarify the two points raised.

I'm also happy to agree to the additional conditions stated in your email.

If there's anything else you need, please let me know.

Thanks,
Ben

On Mon, Aug 19, 2019 at 11:58 AM SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk> wrote:

Good morning,

Following our conversation regarding your premise licence application at 434-436 Abbeydale Road, please can I ask you to confirm a couple of points?

- You mention a 30 minute drinking up time however, this isn't reflected in your alcohol hours which are the same as opening. Please can you confirm whether you wish to amend these hours? Yes, the opening hours should be extended by 30 mins, this is simply to allow customers to use the toilet facilities and disperse from the premises.
- Sunday opening hours cease at midnight however, alcohol finishes at 23.00 hours, is this an error? Please confirm if opening hours should be the same as alcohol? Opening hours should cease at 23.00, except for Sundays prior to a bank holiday, where we would look to remain open until 00:00, as caveated in the application.

I have also detailed the additional conditions we would require adding to the licence in order to further promote the four licensing objectives:

- 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.
- 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 takes place and management deem it necessary.
- Use of the external area to cease at 21.00 hours daily.
- 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 2019) . The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.

I would be obliged if you could confirm by email that you are happy to adopt this practices. I have copied in the Licensing Authority who will be able to confirm if they are happy to receive an amendment to operating hours.

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

Catherine Jarvis (Wednesday/Thursday/Friday) 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



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SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at www.sypalerts.co.uk #SignMeUp

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



Rhodes-Evans Emma (CEX)

From: Crawshaw Michael (CEX) on behalf of licensingservice
Sent: 06 September 2019 08:33
To: Rhodes-Evans Emma (CEX); Barrett Gareth
Subject: FW: NEW LICENSING APPLICATION: Two/Thirds -434 Abbeydale Road, Sheffield

From: Round Jonathan
Sent: 05 September 2019 17:57
To: licensingservice; twothirdsbeer@gmail.com
Subject: NEW LICENSING APPLICATION: Two/Thirds -434 Abbeydale Road, Sheffield

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 for a premises licence for the above premises.

The premises are located below residential accommodation and in close proximity to others, 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.

The premises does not yet have planning consent to operate as a bar. Therefore to protect the nearby residential accommodation both above the premises and in the vicinity, the applicant will need 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 is quantified. There also needs to be a validation report produced to ensure the effectiveness of any works that have been carried out. 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 an approved 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 have spoken to the applicants and told them that I would object to the application as it currently stands, but would be recommending conditions.

To protect nearby residents being unacceptably affected by noise I would propose the below conditions are attached to the premises licence:

- Before the premises open a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall be:
 - a) Based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.

- c) Be capable of restricting noise breakout and transmission from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
- (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Environmental Protection Service (EPS).

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

- Before the use of the premises is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the EPS. Such Validation Testing shall:
 - a) Be carried out in accordance with an approved method statement.
 - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the EPS before the use is commenced and shall thereafter be retained.
- No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the design and settings of which shall have received the prior written approval of the EPS.
- No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.
- The outside seating area to the front of the premises shall not be used from 21:00-10:30hrs.

If you are happy to accept the above conditions then please reply back with your agreement and copy in all parties. Alternatively if you wish to discuss the matter further, or wish to recommend alternative wording to achieve the same please reply or if you would prefer to talk my mobile is below.

Regards,

Jon.

Jonathan Round
Environmental Health Officer

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

Tel +44 (0)114 273 4658/ 07887 641 266
Fax +44 (0)114 273 6464

Appendix 'D'

Hearing Notices and Regulations



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

Mr Ben Stubbs, Mr Daniel Clare & Mr Adam Inns
Two thirds Beer Co

Sent via email: twothirdsbeer@gmail.com

The Sheffield City Council being the licensing authority, on the 10th August 2019 received an application in respect of the premises known as;

Two Thirds Beer Co – 434-436 Abbeydale Road, Sheffield, S7 1FQ

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

- **Health Protection Service – Responsible Authority**

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 1st October 2019 11.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 17th September 2019

Signed: Jayne Gough

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**

Sean Gibbons
Health Protection Service
Sheffield City Council

Sent via email: sean.gibbons@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 10th August 2019 received an application in respect of the premises known as;

Two Thirds Beer Co – 434-436 Abbeydale Road, Sheffield, S7 1FQ

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

- **Health Protection Service – Responsible Authority**

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

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Dated: 17th September 2019

Signed: Jayne Gough

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

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**

We **Mr Ben Stubbs, Mr Daniel Clare and Mr Adam Inns**

Of **Two Thirds Beer Co – 434-436 Abbeydale Road, Sheffield, S7 1FQ**

hereby confirm that I have received the Notice of Hearing dated 17th September 2019 and notify you as follows **(please complete)**:

I intend to attend the hearing at Town Hall Sheffield on 1st October 2019 at 11.00am

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

Dated: Signed.....

Please see Regulation 8 overleaf

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

licensing@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.

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