

# **Licensing Sub-Committee**

**Tuesday 7 January 2020 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**

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Councillors Andy Bainbridge (Chair), Joe Otten and Cliff Woodcraft  
Josie Paszek (Reserve)

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## **PUBLIC ACCESS TO THE MEETING**

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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](http://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](mailto:john.turner@sheffield.gov.uk)

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## **FACILITIES**

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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.

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**LICENSING SUB-COMMITTEE AGENDA  
7 JANUARY 2020**

**Order of Business**

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- 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 - Soul Food, 285 Ecclesall Road, Sheffield, S11 8NX**  
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Miller and Carter, 55 Surrey Street, Sheffield, S1 1XX**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 7<sup>th</sup> January 2020 at 10am

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**Subject:** Licensing Act 2003

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**Author of Report:** Emma Rhodes-Evans

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

285 Ecclesall Road, Sheffield, S11 8NX

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**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.

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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

Ref No 03/20

Soul Food, 285 Ecclesall Road, Sheffield, S11 8NX

**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 Mr Ata Izadi.

2.2 The application, which was received on 4<sup>th</sup> November 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
- Environment Protection Service, Responsible Authority for Sheffield City Council
- Local resident objection on behalf of Botanical Gate Community Association
- Planning Service comments, Responsible Authority for Sheffield City Council

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

3.3 The applicant has failed to communicate with officers from the Health Protection Service and Environment Protection Service despite numerous attempts to contact Mr Izadi. The last known communication between the applicant and Environment Protection Service was the 2<sup>nd</sup> December 2019. The applicant also failed to attend a pre-arranged site meeting at the premises with the Health Protection Officer on the 13<sup>th</sup> December 2019.

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 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: 7<sup>th</sup> January 2020.

# Appendix 'A'

**Application**



NPTRUGKxG242

180003

# Application for a premises licence to be granted 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.

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

04 NOV 2016

I/We Aba Izadi  
(Insert name(s) of applicant)

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

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
285 Ecclesall Road			
Post town	Sheffield	Postcode	S11 8NX
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£16500	

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)





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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY					

ASAP.

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

DD	MM	YYYY					

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

Take away

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

**In all cases complete boxes K, L and M**

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

# B

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

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>Please give further details here</b> (please read guidance note 4)	
Thur			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)	
Fri			<b>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</b> (please read guidance note 6)	
Sat				
Sun				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	23:00	05:00			
Wed	23:00	05:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b>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</b> (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Tue					
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					



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

Name		N/A .
Date of birth		
Address		
Postcode		
Personal licence number (if known)		
Issuing licensing authority (if known)		

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	<b><u>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</u></b> (please read guidance note 6)
Mon	12:00	06:00	
Tue	12:00	06:00	
Wed	12:00	06:00	
Thur	12:00	06:00	
Fri	12:00	06:00	
Sat	12:00	06:00	
Sun	12:00	06:00	

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

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

A CCTV system will be fitted, maintained and in use at all times the premises is open. The CCTV images shall be stored for 30 days.

**b) The prevention of crime and disorder**

If anyone is to display any disorderly conduct at the premises they shall be removed from the premises.

People will be discouraged from congregating outside the premises.

**c) Public safety**

**d) The prevention of public nuisance**

All windows and doors will be kept closed at all times to prevent noise nuisance.

All drivers will ensure that they turn off all music and do not use their horns after 11pm.

Litter picks will be conducted throughout the day and evening within a 100m radius of the premises.

**e) The protection of children from harm**

**Checklist:**

**Please tick to indicate agreement**

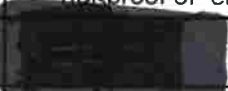
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor,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

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
<b>Signature</b>	
<b>Date</b>	03/11/2019
<b>Capacity</b>	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	
<b>Date</b>	
<b>Capacity</b>	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</b>			
<b>Post town</b>		<b>Postcode</b>	
<b>Telephone number (if any)</b>	<b>Page 19</b>		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

## Privacy Notice – Licensing Act 2003

### How we will use your information

The information provided to us will be used to help us process your application.

Your personal data is processed under a contract to which you are party to through your application for a licence (as per Article 6(1)(b) of the General Data Protection Regulation). In terms of special category data including criminal records, your information is processed as it is necessary for the performance of a task carried out in the public interest (as per Article 9(2)(g) of the General Data Protection Regulation).

Your application will be processed in line with the following pieces of legislation:

- Licensing Act 2003

### Who we will share your information with

We may share your information with the following third parties in order to inform decision making:

- Responsible Authorities
  - South Yorkshire Police
  - South Yorkshire Fire and Rescue
  - Public Health
  - Safeguarding Children
  - Environmental Protection
  - Health Protection
  - British Waterways Board / Navigation Authority
  - Home Office
  - Trading Standards
- Other Licensing Authorities relevant to your application
- Other Council Services
- Bodies Responsible for auditing or administering public funds

### How long we will keep your information

The information you provide will be kept for the duration of your licence, plus six years, after which time it will be deleted.

The information will be stored either in paper form and/or electronically on a secure council database.

### What are your rights

You have rights under Data Protection law. For further details about your rights, the contact details of our Data Protection Officer and your rights to make a complaint please see our Data Protection web page:

<https://www.sheffield.gov.uk/privacy>

If you do not have access to the internet, please contact us and we will be able to provide paper versions of the information you require.

I have read and understood the information provided in this form and understand my personal information will be used in the processing of my application and/or request.

Name:

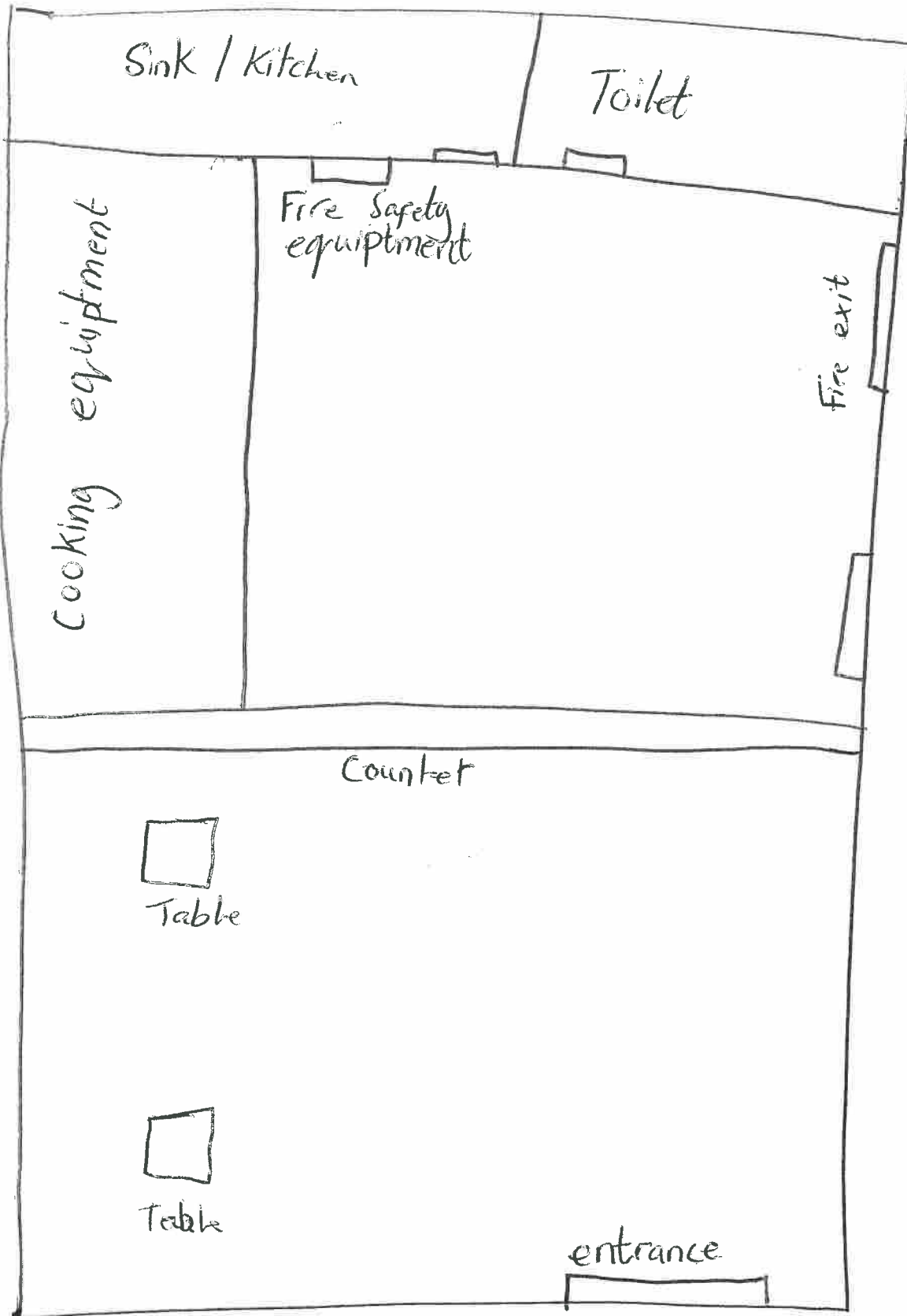
Ata Izadi

Signature

Date:

03/11/2019

285 Ecclesall Road  
S11 8NX



# Appendix 'B'

**Objection:**

Health Protection Service  
Environmental Protection Service  
Local Resident

## Tate Emily

---

**From:** Gough Jayne (CEX) on behalf of licensingservice  
**Sent:** 02 December 2019 20:50  
**To:** Tate Emily  
**Subject:** FW: NEW LICENSING APPLICATION: ATA IZADI, 285 Ecclesall Road, Sheffield, S11 8NX SR 657953

**From:** Cresswell Elaine  
**Sent:** 02 December 2019 15:52  
**To:** [REDACTED] com; licensingservice  
**Subject:** RE: NEW LICENSING APPLICATION: ATA IZADI, 285 Ecclesall Road, Sheffield, S11 8NX SR 657953

**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 Mr Izadi,

RE: NEW LICENSING APPLICATION: ATA IZADI, 285 Ecclesall Road, Sheffield, S11 8NX SR 657953 - Objection re plan

I refer to the application concerning the above premises. Unfortunately I have not been able to contact you by telephone to arrange an inspection for this premises and to discuss your plans in more detail.

As a Responsible Authority towards Public Safety, I confirm that I am making a formal representation due to the due to the internal proposed layout and arrangements shown in the plan, which are unsatisfactory.

I would be more than happy to discuss this matter with yourself or meet your Architect, to reach a satisfactory resolution.

Yours sincerley  
Elaine Cresswell

*Elaine Cresswell BSc (Hons)  
Environmental Health Technician  
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: elaine.cresswell@sheffield.gov.uk  
www.sheffield.gov.uk*

**From:** Cresswell Elaine  
**Sent:** 28 November 2019 16:57  
**To:** [REDACTED]  
**Subject:** FW: NEW LICENSING APPLICATION: ATA IZADI, 285 Ecclesall Road, Sheffield, S11 8NX SR 657953

Hello Mr Izani



I haven't heard from you about arranging a visit to this premises – I am on leave tomorrow

I would be available on Monday 2nd December 2019 in the late morning if that date is possible – please email me.

Kind regards  
Elaine Cresswell

*Elaine Cresswell BSc (Hons)  
Environmental Health Technician  
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: elaine.cresswell@sheffield.gov.uk  
www.sheffield.gov.uk*

**From:** Cresswell Elaine

**Sent:** 26 November 2019 16:12

**To:** [REDACTED]

**Subject:** NEW LICENSING APPLICATION: ATA IZADI, 285 Ecclesall Road, Sheffield, S11 8NX SR 657953

26<sup>th</sup> November 2019

Dear Mr Izadi,

**NEW LICENSING APPLICATION: ATA IZADI, 285 Ecclesall Road, Sheffield, S11 8NX SR 657953**

I refer to my telephone call on 26<sup>th</sup> November 2019.

I understand you plan to open a takeaway with provision for dining inside to provide late night refreshment (23:00 – 05:00hrs).

- **You are advised to check if you require planning permission to do this.**

If you wish to provide a dining facility then you will need to have a customer toilet. The number of toilets depends on how many people you want to provide seating for.

- **Please let me know how many people you wish to provide seating for.**

Our guidelines for Health and Safety and Public Safety in Licensed Premises are attached. I would like to particularly draw your attention to flooring (page 2), disabled access, accessible WC, capacity and structural matters.

#### General

If you intend a fit out it is recommended you consider the following :-

- **If changes to the premises layout are planned it is recommended that you check with Building Control if your plans require building control approval – we often ask for a building control completion certificate as a condition of licence**
- Check if there is an Asbestos Management Plan in place prior to carrying out any structural alterations or other works involving drilling etc – See attached guidance page 20. This may be something your landlord has available.
- Obtain an electrical installation certificate (or electrical condition report covering 100% of the premises) to confirm the condition of the installation is satisfactory.
- Check there enough toilets for the proposed capacity (see page 6/7 – for bars see table 11)



The City Council encourages the provision of disabled access and facilities to licensed premises within Sheffield and when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Equality Act 2010 (which repealed the Disability Discrimination Act 1995) for people to access and use the building and its facilities.

- Applicants need to take account of the needs of wheelchair users/ambulant disabled and provide a suitable height toilet, fixtures and fittings - further details can be found at Approved Document M of The Building Regulations 2000 (as amended) and British Standard BS8300-Design of Buildings and their approaches to meet the needs of disabled people (as amended) – see page 19

Please have a look at the guidance so we can arrange a site meeting and discuss any queries. I would be available on Monday 2<sup>nd</sup> December 2019 in the morning if that date is possible.

Yours sincerely  
Elaine Cresswell

*Elaine Cresswell BSc (Hons)  
Environmental Health Technician  
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: [elaine.cresswell@sheffield.gov.uk](mailto:elaine.cresswell@sheffield.gov.uk)  
[www.sheffield.gov.uk](http://www.sheffield.gov.uk)*

## Crawshaw Michael (CEX)

---

**From:** Round Jonathan  
**Sent:** 21 November 2019 11:06  
**To:** licensingservice  
**Subject:** RE: NEW LICENSING APPLICATION: 285 Ecclesall Road, Sheffield  
**Attachments:** 657745 - 285 Ecclesall Road application.doc

**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 sent the attached letter out to the applicant today with the below text.

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 the use of the premises into the early hours, noise breaking out of the premises, noise transferring through the building and noise from people outside the venue in the late evening.

The premises do not have planning consent to operate as a Hotfood takeaway (A5 use class under planning). The applicant would therefore need to apply for a change of use to Development Control. They will also need to ensure there is adequate fume extraction in the kitchen which is likely to need planning consent. I would comment that the premises next door 283 Ecclesall Road applied for a change of use to a Hotfood takeaway in 2013 to open until 03:00hrs but was restricted to 23:30hrs, and this was upheld at appeal (13/01367/CHU) <https://planningapps.sheffield.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>. I would therefore recommend that the applicant discusses the proposal with my colleagues in Development Control.

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 premises opening, 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 a noise report been produced (i.e. as a result of a planning application) 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 licensable activity on the nearby residents.

Even if a noise report suggests that noise transferring through the building is adequately controlled the proposed terminal hour of 6am is later than other licensed premises in the area, and will create a potential disturbance from people gathering to enter, waiting for orders and waiting for taxis after they have left the premises.

To prevent nearby residents being unacceptably affected by noise I would propose the below amendment to licensable hours and 3 conditions are attached to the premises licence:

The hours for late night refreshment should be reduced to:  
23:00-0:00hrs Sunday- Thursday; 23:00-01:00hrs Friday and Saturday,

The hours Premises are open to the public should be reduced to:  
12:00-00:30hrs Sunday – Thursday and 12:00-01:30hrs Friday and Saturday.

- 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 loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.

If you are happy to accept the above conditions then please reply back with your agreement, if you have an email that will make things easier and quicker. 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

5<sup>th</sup> 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

Visit us at: [www.sheffield.gov.uk/environmentalhealth](http://www.sheffield.gov.uk/environmentalhealth)

## Business Strategy and Regulation

Director: Mick Crofts

### Environmental Regulation

5th Floor (North) • Howden House • Union Street • Sheffield • S1 2SH

Email: jonathan.round@sheffield.gov.uk

Officer: Jonathan Round

Tel: 07887 641 266

Ref: 6577457/JRO

Date: 21<sup>st</sup> November 2019

Mr Ata Izadi

Sheffield

Dear Izadi,

### LICENSING ACT 2003

#### NEW LICENSING APPLICATION: 285 Ecclesall Road, Sheffield, S11 8NX

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 the use of the premises into the early hours, noise breaking out of the premises, noise transferring through the building and noise from people outside the venue in the late evening.

The premises do not have planning consent to operate as a Hotfood takeaway (A5 use class under planning). The applicant would therefore need to apply for a change of use to Development Control. They will also need to ensure there is adequate fume extraction in the kitchen which is likely to need planning consent. I would comment that the premises next door 283 Ecclesall Road applied for a change of use to a Hotfood takeaway in 2013 to open until 03:00hrs but was restricted to 23:30hrs, and this was upheld at appeal (13/01367/CHU) <https://planningapps.sheffield.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>. I would therefore recommend that the applicant discusses the proposal with my colleagues in Development Control.

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 premises opening, 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 a noise report been produced (i.e. as a result of a planning application) 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 licensable activity on the nearby residents.

G:\DELIVERSENVPROT\2019\letters\JRO\657745 - 285 Ecclesall Road

Large print versions of this letter are available by  
telephoning 0114 273 4651



Even if a noise report suggests that noise transferring through the building is adequately controlled the proposed terminal hour of 6am is later than other licensed premises in the area, and will create a potential disturbance from people gathering to enter, waiting for orders and waiting for taxis after they have left the premises.

To prevent nearby residents being unacceptably affected by noise I would propose the below amendment to licensable hours and 3 conditions are attached to the premises licence:

The hours for late night refreshment should be reduced to:

23:00-0:00hrs Sunday- Thursday; 23:00-01:00hrs Friday and Saturday,

The hours Premises are open to the public should be reduced to:

12:00-00:30hrs Sunday – Thursday and 12:00-01:30hrs Friday and Saturday.

- 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 loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.

If you are happy to accept the above conditions then please reply back with your agreement, if you have an email that will make things easier and quicker. 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  
5<sup>th</sup> 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

Visit us at: [www.sheffield.gov.uk/environmentalhealth](http://www.sheffield.gov.uk/environmentalhealth)

c.c. Licensing Service via email: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 28 November 2019 16:42  
**To:** licensingservice  
**Subject:** Ata Izadi; 285 Ecclesall Road

From [REDACTED] [REDACTED] Road Sheffield [REDACTED]

On behalf of Botanical Gate Community Association; representing residents in Khartoum, Thompson, Walton and Wadbrough Roads

28<sup>th</sup> November 2019

Dear Sirs

Application for Premises Licence under the Licensing Act 2003 by Ata Izadi 285 Ecclesall Road, S11 8NX

I write to object to the grant of a Premises Licence with the proposed terms by this undertaking. Our Community Association has concerns for the situation in the Ecclesall Road, off of which our four roads run. This has included concerns raised by the concentration of, hours of operation of, and control of noise emanating from premises trading in the Eccleall Road. We have on occasions persuaded the Licensing Authority to curtail or even refuse applications to the preservation of the amenity in this stretch of the Ecclesall Road and to the benefit to local residents and existing traders.

Our opposition to this application lies proposed hours of operation, ie to 05:00 every night. Potential customers in the early hours are likely to have come from clubs and bars in the city, with their social responsibility antennae somewhat dulled. Having walked along Ecclesall Road and into some of the densely populated adjoining streets, they will have finished their take aways and seek to dispose not only of the packaging but also uneaten food. We are all too well aware of this process the next morning.

In order to reduce the potential public nuisance from discarded food packets and their contents we request that the application as presented be denied with the suggestion that a limit to 0100 would create a better balance between the needs of customers and the residents in the surrounding area.

(signed)

[REDACTED]



## Crawshaw Michael (CEX)

---

**From:** Mahmood Khalid  
**Sent:** 21 November 2019 10:49  
**To:** licensingservice  
**Cc:** Round Jonathan  
**Subject:** FW: 657745: Premises Licence Application - 285 Ecclesall Road, Sheffield, S11 8NX

Dear Licensing,

Further to the email below and the recent application for a premises licence at 285 Ecclesall Road, I can confirm that no planning permission has been granted for the use of the property as a hot food takeaway. Furthermore planning permission will not be granted for the premises to be open beyond 11.30pm.

Can you please keep me updated with regards to the application.

Kind regards

Khalid

Khalid Mahmood  
Planning Enforcement Team Leader  
Planning Service  
City Growth  
Telephone: 0114 203 7758  
Email: [Khalid.mahmood@sheffield.gov.uk](mailto:Khalid.mahmood@sheffield.gov.uk)

---

**From:** Round Jonathan  
**Sent:** 19 November 2019 17:08  
**To:** Mahmood Khalid  
**Subject:** FW: 657745: Premises Licence Application - 285 Ecclesall Road, Sheffield, S11 8NX

Hello Khalid,

The attached premises licence application is for a take away to serve food until 5am and open until 6am in the morning.  
As far as I can see the premises only has A1 use (Cat shelter - charity shop).  
Next door 283 Ecclesall road had an appeal to increase hours beyond 23:30hrs refused on appeal 13/01367/CHU in 2014.

Could you confirm if I'm correct and 285 only has consent to operate as A1 and would need to apply for a change of use to operate as an A5 hot food takeaway.  
Also could you confirm if you are likely to object to the premises licence.

Regards,

Jon.

Jonathan Round  
Environmental Health Officer  
Sheffield City Council  
Environmental Protection Service

# Appendix 'C'

**Agreed conditions:**  
South Yorkshire Police

# AGREED CONDITIONS SYP

**Tate Emily**

---

**From:** Crawshaw Michael (CEX) on behalf of licensingservice  
**Sent:** 12 November 2019 14:11  
**To:** Tate Emily  
**Subject:** FW: New premise licence-285 Ecclesall Road

**From:** SHEFFIELD\_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]  
**Sent:** 12 November 2019 14:03  
**To:** licensingservice  
**Subject:** FW: New premise licence-285 Ecclesall Road

Dear all,

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

- A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 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.
- Persons under the age of 18 years must be accompanied and supervised by a responsible adult at all times.
- Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
- The premises will maintain a register of incidents. Such records will be kept and made available for inspection of the authorities.
- No admittance or re admittance of members of the public after 04.00 hours.

Please place 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 Barraciough 0114 2523556 internal 718556  
John O'Malley Internal 714308

Website address - [southyorks.police.uk](http://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:** amir izadi [mailto: [REDACTED]]  
**Sent:** 07 November 2019 07:45  
**To:** SHEFFIELD\_Licensing <[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)>  
**Subject:** Re: New premise licence-285 Ecclesall Road

Dear Lucy

Thank you for emailing me and your time. I have read through your emails carefully and think your suggestion is a good idea and I will be agreeing to all of your terms and willing to cooperate with the police at all time.

I will be informing the council about change of closing times

Much appreciated

Ata Izadi

On Tue, 5 Nov 2019 at 13:50, SHEFFIELD\_Licensing <[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)> wrote:

Dear Mr Izadi,

Following our earlier discussion, I have detailed the conditions we would require adding to your licence at 285 Ecclesall Road.

As I explained, we have no issues with the delivery service running until 6am however, feel it would be more appropriate for the premise to be closed to the public at 4am to reduce potential disturbance.

I would be obliged if you could review the requests and contact me by email to confirm your agreement.

I'm more than happy to discuss this further on 0114 2523617 should you wish.

- 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.
- Persons under the age of 18 years must be accompanied and supervised by a responsible adult at all times.
- Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
- The premises will maintain a register of incidents. Such records will be kept and made available for inspection of the authorities.
- No admittance or re admittance of members of the public after 04.00 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](http://southyorks.police.uk)

# Appendix 'D'

## Hearing Notices and Regulations



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

Mr Ata Izadi (applicant)

Sent via email:

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> November 2019 received an application in respect of the premises known as;

**285 Ecclesall Road, Sheffield, S11 8NX**

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

- **1 x Public objections**
- **Health Protection Service – Responsible Authority**
- **Environmental 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 7<sup>th</sup> January 2020 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 17<sup>th</sup> December 2019

Signed:

  
Emma Rhodes-Evans

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](mailto:licensing@sheffield.gov.uk)



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

Elaine Cresswell  
Health Protection Service (HPS)

Sent via email: [elaine.cresswell@sheffield.gov.uk](mailto:elaine.cresswell@sheffield.gov.uk)

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> November 2019 received an application in respect of the premises known as;

**285 Ecclesall Road, Sheffield, S11 8NX**

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

- **1 x Public objections**
- **Health Protection Service – Responsible Authority**
- **Environmental 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 7<sup>th</sup> January 2020 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

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: 17<sup>th</sup> December 2019

Signed:   
**Emma Rhodes-Evans**  
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](mailto:licensing@sheffield.gov.uk)





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

Jonathan Round  
Environmental Protection Service (EPS)

Sent via email: [jonathan.round@sheffield.gov.uk](mailto:jonathan.round@sheffield.gov.uk)

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> November 2019 received an application in respect of the premises known as;

**285 Ecclesall Road, Sheffield, S11 8NX**

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

- **1 x Public objections**
- **Health Protection Service – Responsible Authority**
- **Environmental 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 7<sup>th</sup> January 2020 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

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: 17<sup>th</sup> December 2019

Signed:   
**Emma Rhodes-Evans**  
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](mailto:licensing@sheffield.gov.uk)



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

Mr Mike West on Behalf of the Botanical Gate Community Association

Sent via email:

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> November 2019 received an application in respect of the premises known as;

**285 Ecclesall Road, Sheffield, S11 8NX**

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

- **1 x Public objections**
- **Health Protection Service – Responsible Authority**
- **Environmental 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 7<sup>th</sup> January 2020 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

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: 17<sup>th</sup> December 2019

Signed:

A handwritten signature in black ink, appearing to read 'Emma Rhodes-Evans'.

**Emma Rhodes-Evans**

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](mailto: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.

## 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)

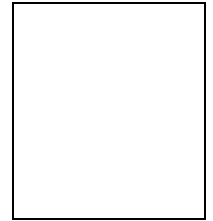
**This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.**

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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## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 7<sup>th</sup> January 2020

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**Subject:** Licensing Act 2003

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**Author of Report:** Gareth Barrett

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

55 Surrey Street, Sheffield, S1 1XX

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**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.

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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**REPORT OF THE CHIEF LICENSING OFFICER (HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE LICENSING ACT 2003** **Ref No 05/20**

**55 Surrey Street, Sheffield, S1 1XX**

**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 Mitchell & Butlers Leisure Retail Limited.
- 2.2 The application, which was received on 19<sup>th</sup> November 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.

Copies of the layout plans for this application will be available at the hearing.

**3.0 REASONS FOR REFERRAL**

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

**1 Public Objection**

- 3.2 Agreed conditions have been received from South Yorkshire Police Licensing Service on 2<sup>nd</sup> December 2019 and are attached as Appendix 'C'
- 3.3 There are no outstanding representations from any Responsible Authority.
- 3.4 The applicant and objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'

**4.0 POLICIES TO CONSIDER**

- 4.1 Sheffield City Council Licensing Policy

**5.0 FINANCIAL IMPLICATIONS**

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



## **6.0 THE LEGAL POSITION**

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

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

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

**7<sup>th</sup> January 2020**



# Appendix A

The Application





**Sheffield City Council**

Application for a premises licence to be granted  
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.  
You may wish to keep a copy of the completed form for your records.

We Mitchells & Butlers Leisure Retail Limited

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

**Part 1 – Premises Details**

Postal address of premises or, if none, Ordnance Survey map reference or description			
Miller & Carter Former Halifax Bank 55 Surrey Street			
Post town	Sheffield	Post code	S1 1XX
Telephone number at premises (if any)		None at present	
Non-domestic rateable value of premises		£126,000.00	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

Name	Mitchells & Butlers Leisure Retail Limited
Address	27 Fleet Street Birmingham B3 1JP
Registered number (where applicable)	01001181
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	0121 498 4000
E-mail address (optional)	licensing_admin@mbplc.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

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

Day	Month	Year

**A**

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

Miller & Carter is a premium Steakhouse restaurant and bar.

The premises consists of a restaurant and bar to the ground floor and restaurant to the basement floor.

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

N/A
-----

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

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

**Provision of regulated entertainment** (please read guidance note 2)

Please tick all that apply

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

(if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Tue					
Wed					
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Tue					
Wed					
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		

**E**

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 4)</p> <p><u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)</p> <p><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 4)</p> <p>Amplified music played through an in house sound system.</p> <p><u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)</p> <p><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>		
Mon	10:00	00:30			
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30			
Fri	10:00	00:30			
Sat	10:00	00:30			
Sun	10:00	00:30			



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>	
					Outdoors <input type="checkbox"/>	
					Both <input type="checkbox"/>	
Day	Start	Finish				
Mon			<b>Please give further details here</b> (please read guidance note 4)			
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)			
Thur						
Fri			<b>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</b> (please read guidance note 6)			
Sat						
Sun						

**H**

<b>Anything of a similar description to that falling within (a), (f) or (g)</b> Standard days and timings (please read guidance note 7)			<b>Please give a description of the type of entertainment you will be providing</b>			
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors <input type="checkbox"/>	
Mon					Outdoors <input type="checkbox"/>	
					Both <input type="checkbox"/>	
Tue			<b>Please give further details here</b> (please read guidance note 4)			
Wed						
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (a), (f) or (g)</b> (please read guidance note 5)			
Fri						
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (a), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			
Sun						

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or <b>both</b> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	00:30			
Tue	23:00	00:30			
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	00:30			
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	00:30			
Sun	23:00	00:30	New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	00:00	New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	10:00	00:00			
Sun	10:00	00:00			

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

Name	
Variation of DPS to be submitted before alcohol is sold	
Date of birth	
Address	
Postcode	



Personal Licence number (if known)
Issuing licensing authority (if known)

**K**

Please **highlight** any **adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9)  
None.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	00:30	
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	00:30	<b>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</b> (please read guidance note 6)
Fri	08:00	00:30	New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Sat	08:00	00:30	
Sun	08:00	00:30	

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

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

Pre consultation has taken place with Lucy Adams of South Yorkshire Police and a meeting was held between the applicant and Bob Singh, Sean Gibbons and Shiva Prasad of Sheffield City Council, prior to the submission of this application.

**b) The prevention of crime and disorder**

1. A digital CCTV system shall be installed at the premises and maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be kept for at least 28 days and shall be available to the Licensing Authority or Police on request.

**c) Public safety**

1. We understand our obligations under existing legislation, and take our responsibility seriously.

2. The applicant or any person in control of these Premises must liaise with and fully comply with the reasonable requirements of the responsible authority for the public safety, in the fit out/alterations of the premises.

3. No licensable activities will take place under the authority of this Licence until the Authority has been notified that the Premises are suitable. Any reasonable requirements of the public safety authority

will be complied with in order to ensure that the premises are suitable for their intended use. The licensee will give the responsible authorities a minimum of 14 days' notice of the intended opening date of the premises.

4. A Building Regulation Completion Certificate shall be submitted to the public safety and the Licensing Authorities before the premises is used for any licensable activities.

**d) The prevention of public nuisance**

1. Having regard to the style of premises and the licensable activities being applied for, it is not envisaged that there will be any adverse impact upon this objective.
2. Reasonable steps will be taken to recognise the needs of local residents and/or businesses and to encourage customers to leave the premises quietly.

**e) The protection of children from harm**

1. We will at all times ensure that the manager and staff are trained in the importance of their responsibilities in ensuring that customers who request alcohol are over 18.
2. The premises will adopt a "Challenge 21" policy and any person wishing to purchase alcohol who appears to be under 21 shall be asked to produce an acceptable form of identification (photo-card driving licence, international passport, a PASS hologrammed/ultraviolet feature card, Military ID card).

Please tick yes

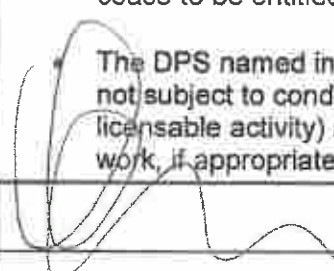
- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- *[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]* I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15)

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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 14)</li> <li>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)</li> </ul>
<b>Signature</b>	
<b>Date</b>	19 November 2019
<b>Capacity</b>	Poppleston Allen – Solicitors for and on behalf of the applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

<b>Signature</b>	
<b>Date</b>	
<b>Capacity</b>	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 14)			
Angela Gardner Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 9349 157		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
a.gardner@popall.co.uk			

**Notes for Guidance**

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

# Appendix B

Objections  
1 Public Objection





**Crawshaw Michael (CEX)**

---

**From:** Cannister Ryan on behalf of licensingservice  
**Sent:** 16 December 2019 15:18  
**To:** Crawshaw Michael (CEX)  
**Subject:** FW: Miller & Carter - 55 Surrey Street  
**Attachments:** SurreyStreet.jpg

**From:** Paul Charity [REDACTED]  
**Sent:** 16 December 2019 15:14  
**To:** licensingservice  
**Subject:** Miller & Carter - 55 Surrey Street

Dear Sirs

**Miller & Carter - 55 Surrey Street**

I write to object, not to the application as such, but to the proposed opening hours of the above premises. In this location, I feel that a closing time of 00:30 is simply too late, and is likely to cause a public nuisance.

Although broadly similar, my objections can be summarised as follows:

1. The premises share a party wall with the caretaker of Upper Chapel/Channing Hall.
2. The landlords of the Brown Bear, just metres away, live above the premises in single glazed accommodation. That establishment keeps 'normal' licensed hours, and everyone is entitled to a good night's sleep after a long day's work.
3. The nearest bedrooms of the Mercure Hotel are situated, maybe, 20 metres away on the other side of Surrey Street. This is the hotel used by all the visiting football teams, including the very top teams from the Premier League, bringing both prestige and much needed business into Sheffield city centre.

All of the above are, of course, perfectly entitled to make their own representations if they share my concerns.

I must also draw the Council's attention to the licensing notices displayed by the applicant, or its agent. As can be seen on the attached photograph, the times for playing recorded music differ between the notice and the actual license application. Very sloppy! If something as basic as that is not right, what other shortcomings does the application contain?

Yours sincerely

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

1500000000

1500000000



# Appendix C

Agreed conditions



**Crawshaw Michael (CEX)**

---

**From:** Gough Jayne (CEX) on behalf of licensingservice  
**Sent:** 02 December 2019 21:08  
**To:** Crawshaw Michael (CEX)  
**Subject:** FW: New premise licence-Miller & Carter, 55 Surrey Street, Sheffield

**From:** Angie Gardner [mailto:[A.Gardner@popall.co.uk](mailto:A.Gardner@popall.co.uk)]  
**Sent:** 02 December 2019 15:14  
**To:** SHEFFIELD\_Licensing  
**Cc:** licensingservice  
**Subject:** RE: New premise licence-Miller & Carter, 55 Surrey Street, Sheffield

Hi Lucy

We have discussed the below with our clients and they have confirmed they are happy to agree to the three conditions below, namely:-

- Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose
- Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
- Children under the age of 16 are prohibited after 21:00 hours unless accompanied by a responsible adult and attending a private family type function or dining.

I have copied this email to the Licensing Department at the Council to keep them in the loop.

I trust the above is satisfactory and you are now happy for this application to proceed?

Many thanks

Angie Gardner |Paralegal|

Poppleston Allen

E:A.Gardner@popall.co.uk | T:0115 9349 157 | M:07967 642 424 | W:www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



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HERE**



**4.8 (130 reviews)**



# Appendix D

Notice of hearing/regulations & procedure



**Notice of hearing of representations  
in respect of the following application: Miller & Carter, 55 Surrey  
Street, Sheffield, S1 1XX  
LA03 Application to Grant a Premises Licence**

Poppleston Allen Solicitors  
37 Stoney Street  
The Lace Market  
NG1 1LS

The Sheffield City Council being the licensing authority, on 19<sup>th</sup> November 2019 received an application in respect of the premises known as;

**55 Surrey Street, Sheffield, S1 1XX**

During the consultation period, the Council received representations from the following;

- **1 Public Objection**

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 **7<sup>th</sup> January 2020 at 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) The application you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your application.

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 (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 23<sup>rd</sup> December 2019

Signed: \_\_\_\_\_ Gareth Barrett \_\_\_\_\_  
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.





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

**[REDACTED]  
[REDACTED]  
Sheffield  
[REDACTED]**

The Sheffield City Council being the licensing authority, on 19<sup>th</sup> November 2019 received an application in respect of the premises known as;

**55 Surrey Street, Sheffield, S1 1XX**

During the consultation period, the Council received representations from the following;

- **1 Public Objection**

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- 1) The representations you have made with reference to these particular premises and the four core objectives.
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Dated: **23<sup>rd</sup> December 2019**

Signed:           Gareth Barrett            
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.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions.

2. It is essential to ensure that all data is entered correctly and that the system is regularly updated.

3. The second part of the document outlines the various methods used to collect and analyze data.

4. These methods include surveys, interviews, and focus groups, among others.

5. The final part of the document provides a summary of the findings and conclusions.

## **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.



## 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.





## 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.

