

Licensing Sub-Committee

Monday 17 August 2020 at 2.00 pm

To be held as an online video conference

Membership

Councillors Karen McGowan (Chair), Dawn Dale, Adam Hurst and Bob Pullin

PUBLIC ACCESS TO THE MEETING

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

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

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact John Turner on 0114 273 4122 or email john.turner@sheffield.gov.uk

FACILITIES

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

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

**LICENSING SUB-COMMITTEE AGENDA
17 AUGUST 2020**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Hackney Carriage and Private Hire Licensing - Individual Cases***
Report of the Chief Licensing Officer.

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

- 6. Licensing Act 2003 - Wadsley Church Grounds, Worrall Road, Sheffield S6 4BB**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

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

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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

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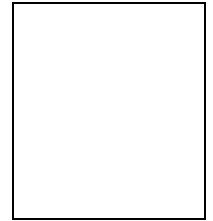
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**SHEFFIELD CITY COUNCIL
Licensing Sub Committee
Report**



Report of: Chief Licensing Officer, Head of Licensing

Date: 17th August 2020 at 3pm via zoom

Subject: Licensing Act 2003 – Temporary Events Notice

Author of Report: Stephen Lonnia

Summary: To consider an objection in relation to a Temporary Event Notice.

Wadsley Church Grounds, Worrall Road, Wadsley, S6 4BB

Recommendations: Members carefully consider the representations made and take such steps, as the Sub Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached
Licensing Act 2003 – Statement of Licensing Policy
<https://www.sheffield.gov.uk/home/business/licences-permits-registrations/about-licences>

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER
HEAD OF LICENSING TO THE LICENSING SUB-COMMITTEE

Ref No 68/20

LICENSING ACT 2003

Hearing to consider a notice of objection to a Temporary Event Notice

Wadsley Church Grounds, Worrall Road, Wadsley, S6 4BB

1.0 PURPOSE OF REPORT

1.1 To consider an objection submitted by Environmental Health in relation to a Temporary Event Notice (TEN) for the premises known as Wadsley Church Grounds, Worrall Road, Wadsley, S6 4BB

2.0 THE TEMPORARY EVENT NOTICE

2.1 The proposed premises user is, Mr Nicholas Ridge.

2.2 The temporary event notice was received on the 7th August 2020 and is attached to Appendix 'A' of this report.

2.3 The event is described as follows:

'Community free festival with live music, stalls (market licence approved) and children's games'

2.4 The licensable activities and hours intended to be carried at the premises are:

Saturday 22nd August 2020 - 12:00 to 19:00
Sunday 23rd August 2020 - 12:00 to 16:00

The licensable activities applied for are

- The sale by retail of alcohol for consumption ON the premises
- The provision of regulated entertainment

2.5 The Notice was served to the relevant authorities on the 10th August 2020.

3.0 REASONS FOR REFERRAL

3.1 A notice was submitted by Environmental Health on the 13th August 2020, objecting to the temporary event notice. The notice of objection and further information from Environmental Health is attached at Appendix 'B'.

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

4.0 POLICIES AND DOCUMENTS TO CONSIDER

4.1 [Sheffield City Council Licensing Policy](#)

4.2 Environmental Health has also made reference to current government guidance in relation to the coronavirus which Members should consider:

<https://www.eventsindustryforum.co.uk/index.php/11-features/14-keeping-workers-and-audiences-safe-during-covid-19>

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/performing-arts>

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

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 A Chief Police Officer or Environmental Health of the Local Authority may object to a Temporary Event Notice within 3 working days of receiving the Notice.

6.2 Where such an objection is received, the relevant licensing authority must –

(a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and

(b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.

7.0 HEARING 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 'C'.

7.3 Attached at Appendix 'C' 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 premises user and the chief officer of Police 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 Committee consider necessary for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date as per the notice submitted.

10.2 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.



Stephen Lonnia,
Chief Licensing Officer, Head of Licensing

17th August 2020

Appendix A

The Temporary Events Notice

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Ridge
Forenames	Nicholas
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
Post town	
Postcode	
7. Other contact details	
Telephone numbers	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Wadsley Church grounds, Worrall Road, Wadsley, S6 4BB.	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	[Place of worship exemption]
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
A limited area, demarcated with line markings / tape and signage will be established at the location shown on the plan below. An area of 400m ² will be marked out with a capacity of 100 persons at a time, demarcation of social distancing. The wider event, [outside of the bar area] is to have no more than 500 people on the site, controlled by gates at a single entrance/exit point and Eventbrite ticket system.	
Please describe the nature of the premises below. (Please read note 4)	
Grounds of parish church	
Please describe the nature of the event below. (Please read note 5)	
Community free festival with live music, stalls (market licence approved) and children's games etc. Event runs from 10:00 (exclusively for graveyard tour until 11:30) until 19:00 Saturday, 11:30 until 16:00 Sunday.	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol		<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)		<input type="checkbox"/>
The provision of late night refreshment		<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)		<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
22 nd August / 23 rd August		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
12:00 to 19:00 on Saturday 22 nd August 2020 and 12:00 to 16:00 on Sunday 23 rd August 2020.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		100 within licenced area
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p>Live music from 12:00 until 19:00 Saturday, 12:00 until 16:00 Sunday.</p>

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

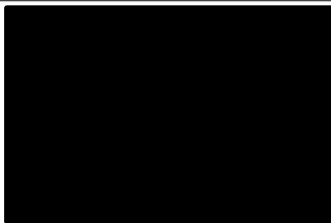
5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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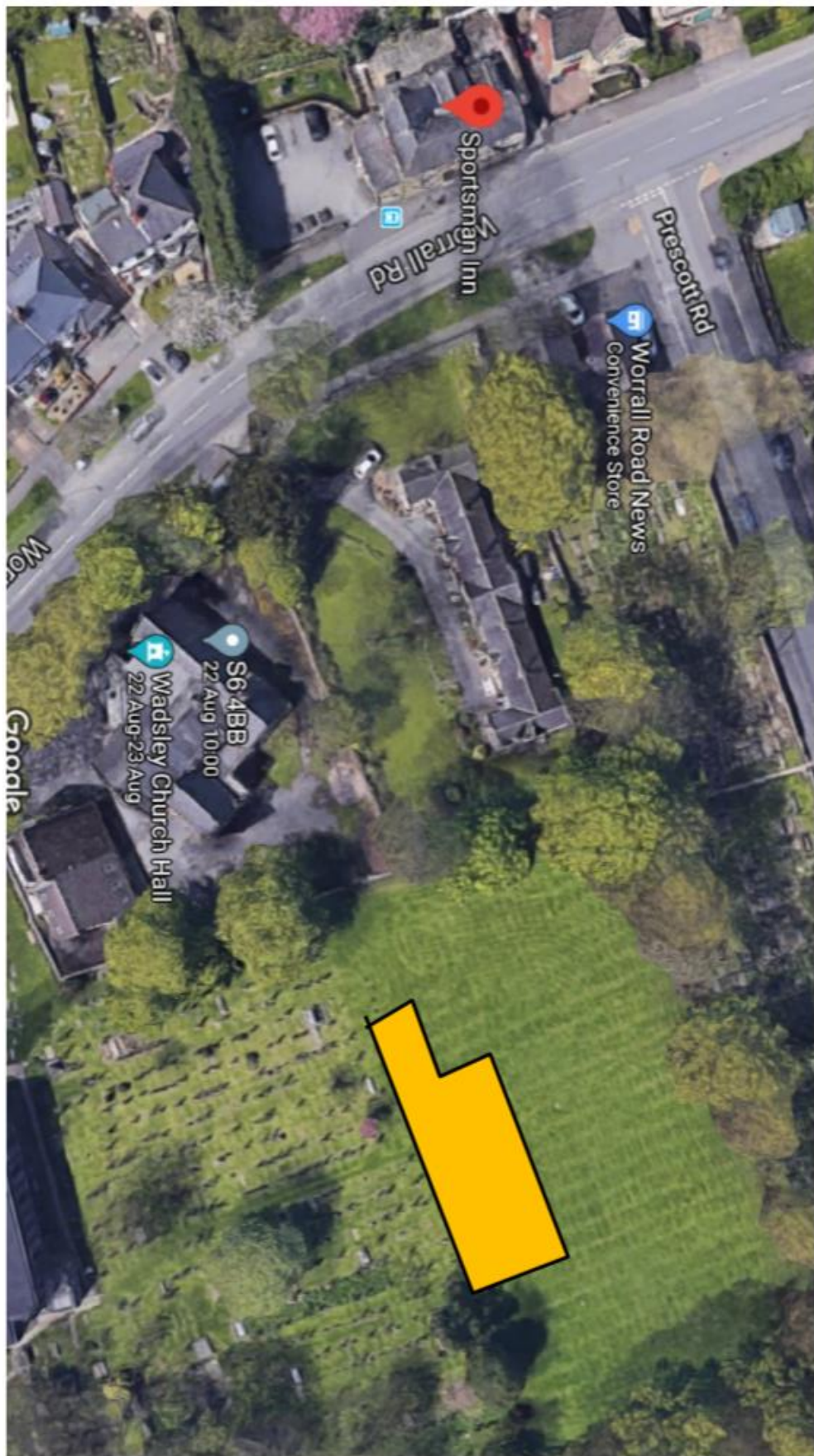
7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	7 th August 2020
Name of Person signing	Nicholas Ridge

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



Appendix B

Objection – Environmental Health

From: Gibbons Sean (DEL)
Sent: 14 August 2020 10:51
To: Nic Ridge; Finch Shimla (CEX)
Cc: licensingservice
Subject: Re: Wadsley Festival & TEN

Morning Nic,

I'm reviewing the current government guidelines on performing arts, and also information from the Event Industry Forum:

(The Events Industry Forum provides an informal organisation that brings together event industry trade associations and similar bodies to discuss issues of common interest.) you can subscribe to the EIF to access free advice and guidance on event safety, which includes good practice on compliance with government guidelines regarding Covid-19. Their membership is made up from Industry experts.

<https://www.eventsindustryforum.co.uk/index.php/11-features/14-keeping-workers-and-audiences-safe-during-covid-19>

As we haven't had a scenario that involves live music and standing audiences with respect to the current Covid-19 risks as yet, I wanted to check current Event guidance with respect to Covid-19. Unfortunately all current guidance is in line with my serious concerns about crowd management as discussed yesterday.

I cannot therefore envisage that without seating for the audience, and a suitable and sufficient Covid-19 risk assessment to demonstrate that the event will be Covid secure that we would be in a position to withdraw this objection.

The current proposal doesn't seem to follow government guidelines. Therefore you would also have to consider what impact this could potentially have on insurance for the event.

The following is taken from the updated Performing Arts Guidance (updated 13/8);

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/performing-arts>

However, these studies have also indicated that it is the cumulative aerosol transmission from both those performing in and attending events is likely to create risk. We are continuing to develop more detailed understanding of how to mitigate this potential aggregate risk, but in that context, organisations should therefore consider:

- Maintaining social distancing wherever possible. Non-professionals should not engage in activities that may lead to social distancing being compromised.
- Ensuring activity takes place outside wherever possible, including performance
- Limiting the number of performers as far as possible (with non-professionals being restricted by rules on [meeting people outside your home](#))
- Limiting the number of audience members, noting that capacity should be maintained at a level that allows social distancing to be maintained
- Limiting the duration of social interaction opportunities ie rehearsals or performances as far as possible
- Taking steps to improve ventilation as far as possible and whenever possible, both through the use of mechanical systems and opening windows and doors
- Taking steps to encourage audiences to support the overall safety of the event, including discouraging activities which can create aerosol (such as shouting, chanting and singing along), seating individuals

rather than allowing them to stand (to help maintain social distancing) and the other mitigations outlined in this guidance

- Continue to take the other vital steps outlined in this guidance, including preventing unwell people from attending, maintaining cleanliness, supporting contact tracing and other mitigating measures.

By considering and adopting these measures cumulatively, the overall risk of the event will be reduced.

Regards
Sean

*Sean Gibbons BSc (Hons)
Environmental Health Officer
Health & Safety Inspector
Environmental Regulation
Sheffield City Council*

From: "Gibbons Sean (DEL)"
Date: Thursday, 13 August 2020 at 15:38:52
To: "Nic Ridge" <"licensing@sheffield.gov.uk">
Cc: "Police Licensing" <"proctor@sheffield.gov.uk">
Subject: Re: Wadsley Festival & TEN 22&23/8

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 Nic,
Thanks for your time to discuss the event earlier..

As you know, I have serious concerns regarding public safety at this event due to the current pandemic. This is particularly with respect to crowd management of the live entertainment.

I've discussed this with colleagues from the Safety Advisory Group (SAG group) in Sheffield.

Colleagues share my concerns Nic, and under current circumstances this type of event would have been put before the SAG group for comments. Unfortunately due to the short notification of the event this would not be possible. Today is the deadline for comments regarding the TEN.

It is therefore with great regret that I feel I have to object to this event on the grounds of public safety. Because this was submitted as a late TEN, it means that this objection can not be withdrawn and the event can not go ahead. I've just tried to ring you to explain. I'll call you later.

Would it be possible to resubmit/reschedule the event to give sufficient time to be put before the Safety Advisory Group?

Sorry for this course of action, but I feel we have no other option at the moment.

Regards
Sean

*Sean Gibbons BSc (Hons)
Environmental Health Officer
Health & Safety Inspector
Environmental Regulation*

From: "Nic Ridge"
Date: Thursday, 13 August 2020 at 15:01:24
To: "Gibbons Sean (DEL)"
Subject: Re: Wadsley Festival & TEN

Hi Sean,

Thanks for the call. As discussed, please see attached the festival info pack which has the logistics layout and the risk assessment. The intention is to share this with all volunteers, stall holders and performers to make everyone aware of what is required to allow the event to proceed safely.

I have noted from our conversation making sure that we obtain a copy of the stall etc.'s risk assessment and ensuring signage / policy against anyone bringing their own drinks. Also, giving more detailed thought to how we ensure that the crowd remains in socially distanced bubble groups and avoids getting out of control extra to our entry control and separate seated bar area e.g. any disturbance and music is turned down, background music between sets kept low volume. We will also use the compere between acts to remind everyone of the safety provisions.

I will also give more thought to the total capacity vs safe audience area capacity as the potential for that to result in overcrowding seems quite a significant concern.

thanks again for your call,

Speak soon,

Nic

On Thu, Aug 13, 2020 at 1:41 PM Nic Ridge wrote:
Hi Sean,

I am free to talk any time now until 3pm and after 4pm today.

I've read all the guidance I can find and all our plans reflect all the guidance we are aware of, all documented as best we can in our risk assessment.

I will read the links you have sent below to double check.

Look forward to speaking

Kind regards,

Nic

On Thursday, August 13, 2020, Gibbons Sean (DEL) wrote:

Dear Nicholas,

I need to discuss the above Festival with you, with particular regard to Covid-19.

In the meantime, could you please confirm that you are familiar with and working towards compliance with government guidelines on Covid-19 as below ?

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/performing-arts>

Could you also confirm that you have put together an event safety plan, and that included in this is your Covid-19 risk assessment for the event?

When would be a good time to call you?

Thanks

Sean

*Sean Gibbons BSc (Hons)
Environmental Health Officer
Health & Safety Inspector
Environmental Regulation
Sheffield City Council*

Appendix C

Hearing Notices / Regulations and Procedures

**Notice of hearing of representations
in respect of the following application:
Application for a Temporary Event Notice**

Sean Gibbons
Environmental Health Officer
Environmental Regulation
Sheffield City Council

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 7th August 2020 received a Temporary Events notice in respect of the premises known as;

Wadsley Church Grounds, Worrall Road, Wadsley, S6 4BB

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

- **Environmental Health**

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 the review will be considered at a hearing to be held virtually via ZOOM, on the **Monday 17th August 2020 at 3pm**; following which the Council will issue a Notice of Determination of the Temporary Events Notice.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 105(2)(a) 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 (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 14th August 2020

Signed: Shimla Finch
The officer appointed for this purpose
Licensing Officer

**Notice of hearing of representations
in respect of the following application:
Application for a Temporary Event Notice**

Mr Nicholas Ridge

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 7th August 2020 received your temporary events notice in respect of the premises known as:

Wadsley Church Grounds, Worrall Road, Wadsley, S6 4BB

During the consultation period, the Council received an objection from the following authorities/interested parties on the likely effect of this application and on the promotion of the licensing objectives, should it be granted;

- **Environmental Health**

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held virtually via ZOOM, on the **Monday 17th August 2020 at 3pm**; following which the Council will issue a Notice of Determination of the Temporary Events Notice.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 105(2)(a) 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:

- 3) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 4) 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 five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 14th August 2020

Signed: Shimla Finch
The officer appointed for this purpose
Licensing Officer

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

Form LAR 1
Regulation 8

Premises: **Wadsley Church Grounds, Worrall Road, Wadsley, S6 4BB**
Type of App: **Temporary Events Notice**
Hearing Date: **17th August 2020 at 3pm Via ZOOM**

Notice of actions following receipt of notice of hearing

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

I **Mrs Nicholas Ridge**

of [REDACTED]

hereby confirm that I have received the Notice of Hearing dated **14th August 2020** and notify you as follows **(please complete)**:

- I intend to attend the hearing at 3pm on **Monday 17th August 2020**
- I do not intend to attend the hearing
- I intend to be represented at the hearing by:
- I consider the hearing to be unnecessary because:
.....
- I request thatshould appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: **Signed**.....

Please see Regulation 8 overleaf

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

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.

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