

Licensing Sub-Committee

Monday 14 September 2020 at 2.00 pm

To be held as an online video conference

The Press and Public are Welcome to Attend

Membership

Councillors Karen McGowan (Chair), Ruth Mersereau and Vickie Priestley

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
14 SEPTEMBER 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. Licensing Act 2003 - Hangingwater Stores, 87 Hangingwater Road, Sheffield, S11 7ER**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

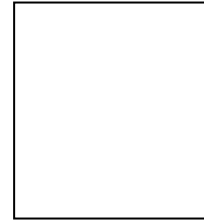
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

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

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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 14th September 2020 at 2pm via zoom

Subject: Licensing Act 2003
Review of a Premises Licence:

Hangingwater Stores
87 Hangingwater Road, Sheffield, S11 7ER

Author of Report: Stephen Lonnia

Summary: To consider an application for the **Review** of a premises licence under the Licensing Act 2003 submitted by The Sheffield Children Safeguarding Partnership

Recommendations: That Members consider all the relevant information available and any representations that may be made.

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 67/20

Hangingwater Stores, 87 Hangingwater Road, Sheffield, S11 7ER

1.0 PURPOSE OF REPORT

1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Hangingwater Stores, 87 Hangingwater Road, Sheffield, S11 7ER.

2.0 THE APPLICATION

2.1 The application was made by The Sheffield Children's Safeguarding Partnership on 29th July 2020.

2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-

- **Prevention of Crime and Disorder**
- **Protection of children from harm**

2.3 The Review application and supporting evidence is attached at Appendix 'A' which details further grounds for the review application.

2.4 A copy of the current premises licence SY 0442 PR is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.

3.2 During the representation period, the Licensing Authority has also received representations from the following:-

- | | | |
|----|---|--------------|
| a) | Office of the Director of Public Health | Appendix 'C' |
| b) | South Yorkshire Police | Appendix 'C' |
| c) | Sheffield Trading Standards | Appendix 'C' |

3.3 In addition these representations, the Licensing Service also received 14 letters of support from local residents who live in the surrounding area to the premises. They have detailed reasons why they are in favour of the Premises Licence Holder maintaining his licence, and wish to contest the application for review. These can be found at Appendix 'D'.

3.4 The applicant (The Sheffield Children's Safeguarding Partnership); the Premises Licence Holder, parties who have made representations and those who have submitted

letters of support for the premises licence holder have all been invited to attend the hearing. Copies of the front pages of the notices are attached to this report labelled Appendix 'E'.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

- 5.1 The Licensing Act 2003 at section 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

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

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

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

6.0 HEARINGS REGULATIONS

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

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

6.3 Attached at Appendix 'E' is the following: -

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.



Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

14th September 2020

Appendix A

Review Application

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

(1)

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

(2) I, **Julie Hague, on behalf of the Sheffield Children Safeguarding Partnership,**

**apply for the review of a premises licence under section 51
of the Licensing Act 2003 for the premises described in Part 1 below**

Part 1 - Premises details or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description Hangingwater Stores, 87 Hangingwater Road,	
Post town Sheffield	Post code S11 7ER
Telephone number (if any) 0114 2305 789	
Name of premises licence holder (if known) Mr Basharit Khan	
Number of premises licence (if known) SY 0442 PR	

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant

Please tick ✓ yes

- 2) a responsible authority (please complete section (C) below)
- 3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname First names

I am 18 years old or over

Please tick ✓ yes

Current address	
Post town	Post code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

Name and address	
Post town	Post code

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address The Sheffield Children Safeguarding Partnership (SCSP) Floor 3, Howden House Union Street	
Post town Sheffield	Post code S1 2SH

Telephone number (if any) [REDACTED]

E-mail address (optional) Julie.hague@sheffield.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

This application is made by the SCSP to address persistent safeguarding concerns at the premises which despite the SCSP's attempts at partnership work, the premises management has failed to address. The SCSP is concerned that the premises management has demonstrated a lack of due diligence towards the core objectives of the Licensing Act 2003.

The SCSP has been involved with the premises since 30.5.18, when I visited the premises with Ms Topham of South Yorkshire Police Licensing to check compliance with the age verification scheme following a complaint made to the police that the premises was selling alcohol to children in school uniform. Also in May 2018, the shop was visited by SCC Trading Standards as part of an exercise to test the due diligence procedures at a random selection of premises in the city; during the visit by Trading Standards staff at the premises failed to ask the mystery shopper for ID despite the individual being selected to undertake the exercise because they appeared younger than 18. At this time the premises was displaying signage for a Challenge age verification policy. As a result of this failure Trading Standards referred the premises management to the SCSP to offer further training. On 31.5.18 a letter was sent by the safeguarding training team to the premises management offering free staff training on 25.7.18, in order to assist with improving age verification and safeguarding at the premises. This letter also provided practical advice about what safeguarding measures should be in place (Annex 1 refers). However on 25.7.18 no one attended the training. (Extract from training attendance register at Annex 2 refers)

Despite attempts to support the premises management in 2018, complaints regarding underage sales have escalated and neither the Premises Licence Holder or Designated Premises Supervisor has made any attempt to engage, or implement the improvement measures required by the responsible authorities, to address safeguarding risk at the premises.

Please provide as much information as possible to support the application (please read guidance note 2)

Between February and June 2020 the SCSP received 3 reports that underage sales routinely take place at the shop; a child was hospitalized after purchasing and consuming alcohol from the shop, on a separate occasion a parent/carer reported that they found their child intoxicated after buying and consuming alcohol at the premises. The complaints and SCSP response are as follows:

13.2.20 – the SCSP received a complaint via the Sheffield City Council Licensing Service in which a member of the public reported that the shop is selling alcohol to children as young as 14 and has a reputation for making underage sales (Annex 3 redacted refers).

19.2.20 – I visited the shop with Ms Topham, South Yorkshire Police Licensing, in response to the above complaint and to an incident occurring on 3.2.20 which had been reported to the police. The incident on 3.2.20 involved a 14 year old child who was hospitalized after consuming Malibu and Vodka purchased at the shop.

During the visit neither the DPS or Licence Holder were present and as we were informed that the Licence Holder Mr Khan was out of the country we spoke to Mrs Fatima Khan, the licensee's wife, who was in charge of the premises. Unfortunately when Ms Topham requested access to the CCTV in order to investigate the incident of 3.2.20, Mrs Khan declined explaining that the CCTV was locked in the cellar and she did not have a key. During the visit I noted that Challenge posters were on display and I noted that Ms Topham provided Mrs Khan with a standard age scheme pack and provided Mrs Khan with verbal advice about recording and checking of refusals. I discussed the safeguarding concerns with Mrs Khan and urged her to ensure that, with immediate effect, all staff must be trained to verify age and that vigilance must improve. Ms Topham and I provided Mrs Khan with our contact details and asked her to pass these on to Mr Khan with a request to contact us when he returns from abroad.

20.3.20 – I wrote to the licence holder to confirm the advice issued verbally (see Annex 4) and to again offer assistance. I received no response.

15.5.20 – I received an email complaint from a social worker representing the carer of a child (see Annex 5). As I was unable to undertake a premises visit due to Covid 19 restrictions I wrote to the licence holder and designated premises supervisor (Annex 6 refers) expressing my concern and requiring immediate action to address risk. I again invited contact if assistance was needed to improve their safeguarding practice. With my letter I provided another 'multi agency information pack for underage sales' this pack comprises materials from Safeguarding, Police and Trading Standards including posters, refusals templates, a safeguarding risk assessment and a set of criteria describing what constitutes an acceptable age verification scheme. I received no response.

16.6.20 – I received a complaint via Sheffield City Council Licensing Service from a school teacher who is concerned that the shop is making underage alcohol sales. I had a telephone discussion with the school teacher who I asked to put their concerns to the SCSP in writing.

24.6.20 – I again wrote to the DPS and Licence Holder requesting contact to discuss safeguarding concerns. I received no response to my letter (Annex 7).

6.7.20 – I received a letter from the teacher providing details of the complaint logged on 16.6.20 (see Annex 8, redacted).

The SCSP would ask the Licensing Sub Committee to note that a partnership approach is taken when possible and that it is a fact that the majority of premises managers respond positively to safeguarding interventions, such as those which have been attempted over the past 2 years at this premises. Unfortunately, despite repeated attempts to engage with the premises management to improve operational practice, the evidence shows that the premises management has failed to take the safeguarding concerns raised to them with any seriousness or indeed, response.

The Licensing Act 2003 requires licensees and designated premises supervisors to demonstrate due diligence regarding their legal responsibilities to protect children from harm and the evidence suggests that whilst the usual age verification policies appear to be in place at this premises, they are not being implemented thus undermining the Licensing Act 2003 core objective for the protection of children from harm.

The SCSP notes that whilst the current premises licence bears no specific conditions, the standard mandatory condition for an age verification scheme has applied; however compliance with the mandatory condition has not been effectively managed in order to prevent underage sales at the premises. The Sheffield Children Safeguarding Partnership therefore asks the Licensing Sub Committee to take positive action to address the concerns regarding the management of age restricted sales at the premises.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [*,], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 - Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature: [REDACTED]

Date 29th July 2020

On behalf of the Sheffield Children Safeguarding Partnership

Capacity: Safeguarding Licensing Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Ms Julie Hague Licensing Manager, Sheffield Children Safeguarding Partnership Floor 3, Howden House Union Street,	
Post town Sheffield	Post code S1 2SH
Telephone number (if any) [REDACTED]	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) Julie.hague@sheffield.gov.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

THE LICENSING ACT 2003

Premises Licence No: SY 0442 PR

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

PART 1 – Premises details

Hangingwater Stores
87 Hangingwater Road
SHEFFIELD S11 7ER

Telephone Number: 0114 2305 789

Where the licence is time limited, the dates:

Not applicable.

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

1. Provision of regulated entertainment:

(a) recorded music

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 22:30 hours

2. Sale by retail of alcohol:

(a) for consumption off the premises

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 15:00 and 19:00 to 22:30 hours

The opening hours of the premises are:

As times detailed above. The times detailed above are without prejudice to the right of the premises licence holder to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this premises licence and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

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

Sale by retail of alcohol for consumption off the premises.

PART 2

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

Basharit Khan
87 Hangingwater Road
SHEFFIELD S11 7ER

Telephone Number: 0114 2305 789

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

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

Shaheen Akhtar


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

Personal Licence Number: Unknown
Issuing Authority: Unknown

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

Restricted.

This Premises Licence shall be in force from the Second Appointed Day.

Issued on: 26th October 2005

.....
Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)

Annex 1 – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

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

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

2. In this section -

“children” means persons aged under 18; and

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

Mandatory Condition 4 (Section 21)

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

Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices on/off licence including those specified at Appendix 1.

Appendix 1



Thursday 31st May 2018

**Ms. Shahin Akhtar, Designated Premises Supervisor
Hangingwater Stores
Hangingwater Road
Sheffield
S11 7ER**

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Emailed to:

Dear Ms Akhtar,

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: Hangingwater Stores, Hangingwater Road, Sheffield,
S11 7ER.**

I am writing to inform you that 2 places have been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or other responsible Manager at the above premises. The workshop is free of charge and will take place as follows:

Date: Wednesday 25th July 2018

Time: 1pm to 4pm

Venue: Conference Room, Floor 1, Howden House, Union Street, Sheffield S1 3SH

On arrival at Howden House please report to 'First Point Reception' and you will be escorted to the training room.

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.

CONTINUED .../

- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol/cigarettes must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 AT LEAST 2 DAYS BEFORE 25/07/18 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely

**JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board**

Annex 2

Annex 2

Name of Premises	Address of Premises	Name of Attendee	Print name:	Signature:
Food Plus Convenience Store	Attercliffe Road, Sheffield	One Staff		
Fox Valley	Fox Valley Way, Sheffield S36 2AB	One Staff	ISACLEN	
Gerties Café	282 South Road, Sheffield	Julie Varley	J.D. VARLEY	
Gerties Café	282 South Road, Sheffield	One Staff	HANNAY	
-angingwater Stores	Hangingwater Road, Sheffield, S11 7ER	Shaheen Akhtar		
-angingwater Stores	Hangingwater Road, Sheffield, S11 7ER	One Staff		
Lane 7 Limited (Bowling)	Lane 7, Unit 26, Basement, The Moor, M6 Jasmine Mann			
Lane 7 Limited (Bowling)	Lane 7, Unit 26, Basement, The Moor, M6	One Staff		
McColl's	1 Market Place, Sheffield, S13 7JX	Christine Greaves		
McColl's	1 Market Place, Sheffield, S13 7JX	One Staff		
Off Licence and Convenience Store	Unit 2 Burncross Road, Chapeltown, Shel	One Staff		
Off Licence and Convenience Store	Unit 2 Burncross Road, Chapeltown, Shel	One Staff		
Premier Convenience Store	1 Samuel Road, Sheffield S2 3JA CITY ROAD	One Staff	HADI HOMSI	
Premier Convenience Store	1 Samuel Road, Sheffield S2 3JA SAMUEL ROAD.	One Staff	Ryan Allison	
Pride Sheffield		Darren Hopkinson		
Pride Sheffield		George Savage		
Pride Sheffield		One Staff	BEU GREEN	
Pride Sheffield		One Staff	DOMINIC MARTIN	

Do you need some advice? Not sure what forms you need to fill in?

PRE-APPLICATION ADVICE AND CONSULTANCY SERVICE

Book some time with an experienced officer who can provide technical advice about your area of licensing or simply just assist you complete and check your application forms to ensure they are valid

Contact the Licensing Service for more details on

0114 2734264 or licensing@sheffield.gov.uk

Or go to our website and download an application form

www.sheffield.gov.uk/licensing

Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Paragraph 19, Part 4, Schedule 2 of the Data Protection Act 2016

From:
Sent: 05 February 2020 23:10
To: licensing@sheffield.gov.uk
Subject: Enquiry for Licensing Team Team

An enquiry was made by

Dear Licensing team
How is it that most under 18 year olds in the area know that stores such as Hangingwater stores flagrantly sells alcohol to people as young as 14 and your department doesn't know or does know but chooses not to act upon information????????????????
I think I'm right in saying that customers who don't look 25 years old are to be asked for proof of identity and therefore age.
I have sent a copy of this message to all secondary schools in the area and to the SY Police. I politely ask for and expect a response from you.

Contact me by Email

Customer details:

Date of Birth
Telephone Number:
Email address:

Annex 4



20th March 2020

Mr Basharit Khan
Hangingwater Stores
87 Hangingwater Road
SHEFFIELD S11 7ER

Address correspondence to:

Julie Hague
Sheffield Children Safeguarding
Partnership - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 07854 219682
Email: Julie.hague@sheffield.gov.uk

Dear Mr Khan

COMPLAINT: THE PROTECTION OF CHILDREN FROM HARM: HANGINGWATER STORES, 87 HANGINGWATER ROAD, SHEFFIELD S11 7ER

I am writing further to my visit to the above premises on 19th February 2020 with Ms Topham of South Yorkshire Police, to discuss an incident involving underage alcohol sales at the premises which resulted in the hospitalisation of a young person. At the visit I met with your wife Mrs Fatima Khan who was managing the premises in your absence abroad. I am writing to confirm the key points of the discussion and advice given.

1. It was explained that a complaint had been made to the police that a 14 year old girl who had purchased a bottle of vodka and a bottle of Malibu at the premises had consumed the alcohol and been hospitalised. It was also explained that another complaint had been received by the police reporting the shop as a premise where underage sales of alcohol take place.
2. Mrs Fatima Khan explained that the cctv from the date of the incident on 3.2.20 could not be viewed as it is stored securely in the cellar and she did not have access to it.
3. In light of the above, Mrs Khan was urged to take the following steps to ensure safeguarding compliance:
 - Implement/refresh the Challenge 25 scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
 - Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
 - Signage to highlight the Challenge 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
 - Staff should be briefed to be vigilant for false ID and report suspicious use of ID to the police. Signage should be displayed to publicise this.
 - A safeguarding risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Children Safeguarding Partnership (contact details above).
 - The designated premises supervisor and shop manager should attend the next available multi agency safeguarding training. I have arranged for a training offer letter to be sent by separate post.

Please note that due to Covid 19, the training session has been deferred to October 2020 in line with government guidelines for social distancing.

If you require any help or assistance with safeguarding at the premises or if you have any questions about this letter please don't hesitate to get in touch, my contact details are above.

Yours sincerely

JULIE HAGUE
Licensing Manager
Sheffield Children Safeguarding Partnership

From:
Sent: 15 May 2020 10:18
To: Craig Mandy
Subject: licencing - risk to children

Annex 5

Hi Mandy,

I seem to remember you spoke at the EIP conference for social workers about the role of the council in licencing and that we should report concerns in this area. I had a report from a foster carer that teenagers and local parents share a widely held view that it is easy for children under 18 to be served alcohol at the Hanging Water Stores in Nethergreen S11. She is worried particularly with lockdown and children out of school about impact on children and her child in particular

The carer was keep to pass on these concerns but didn't want to use police time. If you are able to pass on these concerns to the right people I'd be very grateful or details of who I should be contacting in the council.

I'm sorry if you are the wrong Mandy Craig or it wasn't you who gave this talk!

Best wishes,

Please note I work part time. During the coronavirus outbreak special measures are in place and I'll largely be working from home. I am able to work in the daytime Wednesdays and Fridays and will undertake the rest of my hours over evenings and weekends due to having no childcare currently.

There are staff able to answer the duty number below in office hours. For urgent issues you can also contact my manager or by email.

Social Worker Fostering
Fostering Service
Mobile:

E-mail:

**Foster
Sheffield's
Future**



Annex 6



15th May 2020

Mr Basharit Khan and Ms Shaheen Akhtar
Hangingwater Stores
87 Hangingwater Road
SHEFFIELD S11 7ER

Address correspondence to:

Julie Hague
Sheffield Children Safeguarding
Partnership - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 07854 219682
Email: Julie.hague@sheffield.gov.uk

Dear Mr Khan and Ms Akhtar

COMPLAINT: THE PROTECTION OF CHILDREN FROM HARM: HANGINGWATER STORES, 87 HANGINGWATER ROAD, SHEFFIELD S11 7ER

I am writing further to my letter of 20th March and my visit to the above premises on 19th February 2020 with Ms Topham of South Yorkshire Police, to inform you that another complaint has been reported to the Sheffield Children Safeguarding Partnership. The complainant reports that the premises has a reputation for making underage sales of alcohol and that children are at risk of harm. I am concerned that despite verbal and written advice and age verification materials having been supplied to you by myself and colleagues from South Yorkshire Police, the allegations are ongoing. I am therefore writing to reiterate the advice and provide you with further materials to ensure that your premises is compliant with the law and I urge you to implement the following with immediate effect:

- Implement/refresh the Challenge 25 scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- Staff should be briefed to be vigilant for false ID and report suspicious use of ID to the police. Signage should be displayed to publicise this.
- A safeguarding risk assessment should be undertaken and this should inform your operating policy and staff training. A template to help you with your risk assessment is enclosed.
- The designated premises supervisor and shop manager must attend the next available multi agency safeguarding training. I have arranged for a training offer letter to be sent by separate post. Please note that due to Covid 19, the training session has been deferred to October 2020 in line with government guidelines for social distancing.

If you require any help or assistance with safeguarding at the premises or if you have any questions about this letter please don't hesitate to get in touch, my contact details are above.

Yours sincerely
JULIE HAGUE
Licensing Manager

Annex 7



24th June 2020

Mr Basharit Khan and Ms Shaheen Akhtar
Hangingwater Stores
87 Hangingwater Road
SHEFFIELD S11 7ER

Address correspondence to:

Julie Hague
Sheffield Children Safeguarding
Partnership - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 07854 219682
Email: Julie.hague@sheffield.gov.uk

Dear Mr Khan and Ms Akhtar

COMPLAINT: THE PROTECTION OF CHILDREN FROM HARM: HANGINGWATER STORES, 87 HANGINGWATER ROAD, SHEFFIELD S11 7ER

I am writing further to my letters of 20th March and 15th May 2020 regarding complaints that underage sales of alcohol are taking place at the above premises for which you hold the licence. I am informing you that I have recently received another complaint concerning underage alcohol sales.

In order to discuss the complaints and establish what safeguarding procedures are in place, I am writing to ask that you contact me as a matter of urgency to arrange a time that we can discuss this matter by telephone. My email is Julie.hague@sheffield.gov.uk and my mobile phone number is 07854 219682.

I look forward to hearing from you.

Yours sincerely

JULIE HAGUE
Licensing Manager
Sheffield Children Safeguarding Partnership

Julie Hague
Licensing Manager
Sheffield Children's Safeguarding Partnership
Floor 3 Howden House
Union Street
Sheffield
S1 2SH

Dear Ms Hague

Further to our telephone conversation I wish to put in writing my complaint about the sale of alcohol to underage people at Hangingwater Stores on Hangingwater road, Oakbrook Sheffield.

∴ this store has been mentioned on several occasions as a place where 'you can get anything you want they're not bothered'. On Saturday the 20th June, [redacted], who are 15 and 16 years old, purchased several bottles of Vodka and took them to a field where they drank them. I collected [redacted] from this venue after I called her to check she was on her way home and discovered she was too drunk to walk. I have spoken with her (16yrs) and [redacted] (15yrs) about this and they have said that 'everyone knows they sell to underage' and 'everyone buys there'.

I believe this needs investigating as the potential danger to young people is obvious, with alcohol related injury, rape, and poisoning just a few things that spring to mind.

As I have never been in this store I am unaware of the circumstances. I would prefer not to have my name used as I am concerned

I am a teacher [redacted] and feel compelled to report this.

Appendix B

Current Premises Licence

THE LICENSING ACT 2003

Premises Licence No: SY 0442 PR

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

PART 1 – Premises details

Hangingwater Stores
87 Hangingwater Road
SHEFFIELD S11 7ER

Telephone Number: 0114 2305 789

Where the licence is time limited, the dates:

Not applicable.

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

1. Provision of regulated entertainment:

(a) recorded music

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 22:30 hours

2. Sale by retail of alcohol:

(a) for consumption off the premises

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 15:00 and 19:00 to 22:30 hours

The opening hours of the premises are:

As times detailed above. The times detailed above are without prejudice to the right of the premises licence holder to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this premises licence and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

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

Sale by retail of alcohol for consumption off the premises.

PART 2

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

Basharit Khan
87 Hangingwater Road
SHEFFIELD S11 7ER

Telephone Number: 0114 2305 789

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

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

Shaheen Akhtar


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

Personal Licence Number: Unknown
Issuing Authority: Unknown

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

Restricted.

This Premises Licence shall be in force from the Second Appointed Day.

Issued on: 26th October 2005

.....
Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)

Annex 1 – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

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

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

2. In this section -

“children” means persons aged under 18; and

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

Mandatory Condition 4 (Section 21)

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

Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices on/off licence including those specified at Appendix 1.

Appendix 1

Appendix C

Representations:

Office of the Director of Public Health

South Yorkshire Police

Sheffield Trading Standards

Office of the Director of Public Health

Sheffield Town Hall, Pinstone Street S1 2HH

Tel: 0114 273 4152

Web Site: www.sheffield.gov.uk

E-mail: Magda.Boo@sheffield.gov.uk



Stephen Lonnia
Head of Licensing
Sheffield City Council
c/o Block C
Staniforth Road Depot
Sheffield
S9 3HD

Dear Stephen,

**Re: Application to review the premises licence: Hangingwater Stores, 87
Hangingwater Road, Sheffield S11 7ER**

Sheffield City Council Public Health take the issue of facilitating underage drinking very seriously and are extremely concerned regarding potential impacts of such behaviour on alcohol related harm amongst young people.

Evidence shows that underage drinking causes significant harm and these harmful consequences may continue later in life. In 2009, the Chief Medical Officer of England published the first official guidance on alcohol aimed specifically at children and young people¹. It recommended that the healthiest and safest option was for children to remain alcohol free up to age 18. If they did drink alcohol it should not be at least until the age of 15. For young people aged 15 to 17, it was suggested they should only drink in a supervised environment, and no more than once a week. The guidance was based on a body of evidence that drinking at a young age, and particularly heavy or regular drinking, can result in physical or mental health problems, impair brain development, and put children at risk of alcohol-related accident or injury. More broadly it is also associated with missing or falling behind at school, violent and antisocial behaviour, and unsafe sexual behaviour. A review of evidence by Public Health England² observed that:

“Children who start drinking early are more likely to become more frequent and binge drinkers and underage drinking is associated with school and educational problems, unprotected sex, consumption of illicit drugs, violence and drinking problems in later life”.

¹ <https://digital.nhs.uk/data-and-information/publications/statistical/smoking-drinking-and-drug-use-among-young-people-in-england/2018/part-5-alcohol-drinking-prevalence-and-consumption>

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733108/alcohol_public_health_burden_evidence_review_update_2018.pdf

It is of particular concern that more vulnerable children (children in foster care) have been facilitated into underage drinking by this establishment. This is not the type of future that we want for young people in Sheffield and therefore in order to prevent this it is important that we are robust in addressing licensed premises/DPS who facilitate and enable underage drinking.

We know from the Every Child Matters Survey 2016/17 that young people in Sheffield are being regularly exposed to alcohol. Data shows that almost 1 in 5 underage young people are able to access alcohol from licensed retailers and more than 1 in 5 young people are regularly drinking to excess and harmful levels³.

Data from Sheffield young people's drug and alcohol treatment services shows that alcohol is the most common substance to bring young people into treatment. 53% of young people in local treatment services need support for alcohol as a substance of misuse. These are young people aged 15-17 who already have a problematic relationship with alcohol. We know from clinicians that available and affordable alcohol can make it very difficult for people to address their difficulties.

The actions of this premise and DPS are stated to have led to the hospitalisation of a young person and we take this extremely seriously. Sheffield is the only authority in Yorkshire & the Humber which is green for all three alcohol admission under 18 indicators on the current available data from Local Alcohol Profiles for England⁴. This success is due to the excellent partnership work between Sheffield Safeguarding Partnership, Sheffield Licensing, Sheffield Drug & Alcohol Action Team, and Sheffield Public Health. This partnership approach addresses prevention through education and regulation, enforcement action on underage sales, and effective treatment services. This data shows that this hospitalisation of young people for alcohol is rare and we support this review, potential enforcement action and other measures to help keep such serious events for young people to a minimum.

³ <https://www.sheffield.gov.uk/content/dam/sheffield/docs/schools-and-childcare/childcare-and-support/The%20ECM%20Survey%202016-17%20Report.pdf> 32% of Y7s said they had tried drinking alcohol. 2.8% of Y10s said they drank alcohol every day and 6.9% drank once or twice a week. The proportion usually drinking once a week increased with age, from 1% of 11 year olds to 14% of 15 year olds. In 2018, 10% (confidence interval 9-11%) of pupils said they had drunk in the last week. 21% of pupils who drank in the last week were estimated to have drunk more than 15 units. 22% of 15 year olds reported having been drunk in the last four weeks. 19% said they usually bought alcohol from any retailer or licensed premises, though this was higher for older pupils; 26% of 15 year olds, compared to 12% of 11 to 13 year olds. Pupils from Yorkshire and the Humber reported the highest prevalence for ever having drunk alcohol, at 53%, followed by North East at 51%. This is mirrored in the proportion of pupils having drunk alcohol in the last week; pupils from Y&H reported the highest prevalence for having drunk alcohol in the past week at 14%.

⁴ <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Indicator	Period	England	Yorkshire and the Humber region	Barnsley	Bradford	Calderdale	Doncaster	East Riding of Yorkshire	Kingston upon Hull	Kirklees	Leeds	North East Lincolnshire	North Lincolnshire	North Yorkshire	Rotherham	Sheffield	Wakefield	York
related conditions (Narrow) - 40-64 yrs (Female)	2018/19	714	1006	1011	891	903	1016	978	954	884	919	597	802	825	961	923	1105	913
Admission episodes for alcohol-related conditions (Narrow) - Over 65s (Persons)	2018/19	1049	1112	1185	1301	1182	1198	1088	1248	978	942	965	1239	1021	1152	1189	1300	1061
Admission episodes for alcohol-related conditions (Narrow) - Over 65s (Male)	2018/19	1591	1596	1519	1995	1638	1720	1639	1921	1433	1432	1321	1797	1411	1587	1608	1818	1476
Admission episodes for alcohol-related conditions (Narrow) - Over 65s (Female)	2018/19	679	720	935	719	567	775	533	696	608	558	678	774	708	822	848	867	737
Admission episodes for alcohol-specific conditions - Under 18s (Persons)	2016/17 - 18/19	31.6	32.2	49.7	37.7	38.2	27.8	31.9	62.0	18.4	34.1	29.1	23.4	44.0	17.8	15.7	27.9	27.3
Admission episodes for alcohol-specific conditions - Under 18s (Male)	2016/17 - 18/19	25.9	27.8	39.0	30.2	28.4	24.7	25.8	88.6	16.4	27.4	28.7	18.3	38.4	17.3	13.9	31.8	17.8
Admission episodes for alcohol-specific conditions - Under 18s (Female)	2016/17 - 18/19	37.5	36.5	67.6	45.4	44.1	31.0	38.2	54.9	17.0	41.1	29.5	28.7	52.8	17.9	17.6	28.8	37.3

Sheffield City Council Public Health support this review by Sheffield Safeguarding Partnership – having tried and failed to engage the premise/DPS in an education and partnership approach. We view as extremely serious the reports in your review documentation of repeated failings to verify age, observed underage sales, and a reputation for provision underage sales. We have provided evidence of the immediate and long lasting damage that such irresponsible behaviour causes to local young people to support Licensing Committee in its decision making on this issue.

Yours sincerely

Magdalena Boo
Health Improvement Principal



Greg Fell
Director of Public Health
Sheffield City Council



South Yorkshire Police
Alcohol Licensing Department
Moss way Police Station
Moss way
Sheffield
S20 7XX

21st August 2020
Re- Underage sales of alcohol

Hangingwater stores
87 Hanginwater Road
Sheffield
S11 7ER

This premise is an off license and shop. The Premise license holder is Basharit Khand and the Designated premise supervisor is Shaheen Akhtar

The premise came to the attention of South Yorkshire Police in May 2018. There had been a complaint from a member of the public reporting concerns that school children, in uniform were being served alcohol. A visit was conducted between the Police Licensing service and Childrens Safeguarding. The wife of the PLH was spoken to. All procedures appeared in place except no refusals log. One was provided by Police Licensing.

The second time the premise has come to our attention was when two reports were received in February 2020 in relation to a child aged 14 being hospitalised after consuming alcohol purchud by the child at the store and a member of the public reporting that they could see children in school uniform drinking alcohol purchased from the shop and hanging around outside it causing Anti social behaviour in the area.

A second visit at the premise was therefore conducted by Julie Hague – Safeguarding and Chery Topham – Police Licensing Officer on 19/02/2020

A report from Cheryl Topham is included below.

- Myself and Julie Hague visited the premise in response to the underage complaints that have come in. I had spoken to the mum of the young female who had been hospitalised after drinking alcohol she purchased from this shop. She gave me detailed description of her daughter and the seller so we could view CCTV accurately. The DPS was working in the shop, Shaheen Akhtar. She clearly knew why we were there as a PCSO had also been in to see her after the incident had been received. She said they had CCTV but she couldn't access it as it was locked in the cellar. I asked who could access it and she said only her husband, Basharat Khan who is the premise license holder. But, he was in Pakistan as they had a death in the family. She confirmed he didn't get back until Friday 28th in the evening and would be in the shop on Saturday 29th. I explained that it wasn't acceptable for there to be no one who could access the CCTV for all that time. She could not produce a refusals log, just said they sometimes wrote it on scraps of paper. She said they always check for ID. She said it is only family who work in the shop. Her two sons do also work there on occasion. The description of the seller I suspect is her youngest son. She could not tell me how long the CCTV is retained for as she didn't know. I am concerned that by the time we access the CCTV it will be gone.
- The description of the female who purchased a bottle of malibu and a bottle of vodka was f504, white female, mousey brown shoulder length hair. Wearing a white strappy dress, red doc martins with bright red lipstick and is 14 year old. Her friend is white, tall, skinny with long brown hair. No description of clothes.

They are believed to have gone to the shop between 5:30-6pm on sat 1st feb. The seller is described as Asian male, 18-20 years, might be a family member.

- I have asked Sgt Adam Wood if he can task a member of staff to go check the CCTV on sat 29th feb when Basharat Khan is back. Unfortunately due to operational difficulties and the proceeding Covid outbreak, this was not done.

Due to the unforeseen circumstances surround the Covid-19 Pandemic and subsequent measures implemented during lockdown, staff from Police Licensing were not able to conduct any visits at the premise to complete licensing checks. We are also still not in a position to use underage children for Test Purchase operations due to the safety surrounding the Covid-19 pandemic. Test purchase operations would have been completed had this been an option.

A further complain was then received into Sheffield Council on 16th June 2020, which was forwarded onto Police Licensing. The report is as below:

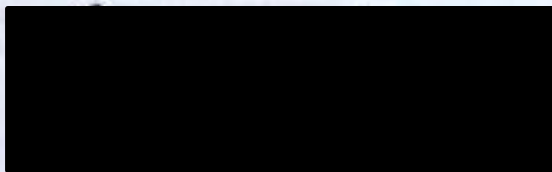
- "Hangingwater Stores is regularly selling large quantities of alcohol to underage teenagers. Please can you investigate as this is an ongoing problem. As a mother of teenage children I am very concerned by their knowledge that this store will sell them and their friends anything they want "they're not bothered". In this time of difficulty, underage children are buying large amounts of alcohol here and taking it to areas to consume in large groups. It needs to be prevented."

Requests were made by myself to the local policing Sgt to carry out a Licensing check at the premise but again, due to reduced resources surrounding staff shielding or isolating in regards to the covid-19 pandemic, officers were unable to complete this task.

South Yorkshire Police support Sheffield Children's Safeguarding with the review of the premise license. The sale of alcohol to underage persons is of serious concern and a real danger to the lives of those young persons as seen in the hospitalisation of one individual. The premise do not appear to be keeping accurate refusals records and simply placing on a scrap of paper is not sufficient to be complying with the conditions of the license. The sale of alcohol to minors is also linked to increased anti-social behaviour and has also been an influencing factor in recent gang related stabbings in the local area involving intoxicated youths. This premise is providing an outlet for such activity to be carried out by youths and has the potential to lead to a rise in Crime & Disorder within the Sheffield area.

Another worry is also that if management at an off license are allowing the sale of alcohol to minors then what other offences could be being committed and are they suitable and responsible people to hold an alcohol license.

Yours faithfully,



Catherine Jarvis Licensing Enforcement officer

For and on behalf of Chief Constable, South Yorkshire Police

Dear Licensing

Trading Standards note the application of the Sheffield Children's Safeguarding Partnership to have the premises licence of Hangingwater Stores, 87 Hangingwater Road, S11 7ER reviewed under the Licensing Act 2003. As a responsible authority under the Act Trading Standards would like to submit the following representation towards the review:

In December 2016 Trading Standards was in receipt of a complaint from a member of the public alleging that the business was selling tobacco to underage children. In response to this an Under Age Sales guidance pack was sent to the business. This pack provided information enabling the business to combat underage selling including a refusals register and staff training literature.

On the 26th June 2018 Trading Standards attempted a Test purchase of tobacco using a volunteer over the age of 18 who looked younger. This was in order to check that the business is being vigilant and asking for ID in accordance with its age verification policy. The business did sell tobacco to the volunteer and did not ask for ID.

Yours Sincerely

David Clutterbrook
Senior Trading Standards Officer
Trading Standards (Commercial Team)
Sheffield City Council
Floor 5 North, Howden House, 1 Union Street, Sheffield, S1 2SH

david.clutterbrook@sheffield.gov.uk
trading.standards@sheffield.gov.uk

Appendix D

14 x Letters of Support – Local Residents

1.

Dear All,

It has come to my attention that the licence to sell alcohol at Hangingwater Stores (87a Hangingwater Road, Nether Green) is being reviewed, due, in part, to an alleged small number of sales of alcohol to someone using false (or possibly "borrowed") identification documents.

As a regular local customer of Hangingwater Stores, I would like to reassure Sheffield City Council that in my view, the store is operated with a high degree of professionalism, with an equal degree of community spirit. And I would be bitterly disappointed to see the store adversely affected by the alleged actions of any individual seeking to circumvent the law.

As a long-standing civil servant (Department for Work and Pensions) I know what it means to maintain integrity. And in Hangingwater Stores, I see this all the time; so whilst I appreciate the council's duty to undertake these reviews (and rightly so) I would humbly submit that in my opinion, Hangingwater Stores continue to maintain the highest values (they have been such a rock during the COVID-19 crisis!) and I urge the council to look favourably on this invaluable local business.

Best Regards
Adrian Stone

2.

Sir/Madam

I understand that you are reviewing the alcohol license of Mr Khan of Hangingwater Stores, 87a Hangingwater Rd, S11 7ER.

I am a local resident who uses this convenience store and would like to support Mr Khan in retaining his license. Mr Khan does not seem like the sort of person who would knowingly or intentionally sell alcohol to underage persons. I have never observed underage persons attempting to purchase alcohol underage at this store and it is not the sort of place where you see youngsters hanging around outside which in my experience can be the case where a store is known to youngsters as a place where its easy to buy booze and/or pass off fake ID. This is a quiet shop in a quiet area. Mr Kahn and his family are familiar faces in this small Sheffield community and having local shops with longstanding owners/staff helps with local community cohesion.

As a resident and customer I fear that if the alcohol license is withdrawn the whole viability of the store will be compromised and we will lose this local asset. I'd rather buy milk and bread and alcohol from a local businessman such as Mr Khan than go to the Tesco/Esso filling station which is the only other available alternative store for these items for some significant distance (i.e without driving).

I appreciate the importance of preventing alcohol sales to under 18s and the council's endeavours to enforce this but it must also be very difficult for business owners when young people turn up, dressed and made up to look older than there years, who then present plausible (but fake) ID when challenged. Mr Kahn must be reminded of his responsibilities and the need for extra diligence but I don not wish for our community to lose a local, family run convenience store and as residents we should not be punished for the actions of juveniles who may not even be from the area. To my knowledge there is not currently a problem with underage drinking in Nether Green.

Yours Faithfully
Chris Greenwood

3.

To whom it may concern,

I am a local resident of Nethergreen and I have been informed that the local store is having licence reviewed.

I have used the store for 9 years and have never witnessed any inappropriate selling of alcohol to those under age. The store has been an essential part of our community during the covid crisis. The family who run the store have always been so kind and thoughtful looking out for local people, they appear serious about their responsibilities in the community. Obviously, this is just based on observation but I feel the family are very valued by local residents.

I hope this information is helpful.

Kind Regards
Charlotte O'Brien

4.

Dear Sirs

Re Hangingwater Stores (Mr Basharit Khan, 87 Hangingwater Road, Sheffield S11 7ER)

I am surprised and disappointed to hear that you feel it is necessary to review the liquor licence for these premises. The Khan family are upstanding members of the local community, always very helpful, friendly and honest, and they operate the shop very well. It would be sad if someone's mischief or mistake caused the neighbourhood to lose the Hangingwater Stores facility and indeed the whole family.

If someone has been dishonest and deliberately tried to cause mischief, shame on them, but please don't let the outcome of the review justify the means. The Khan family, who have been in the area for many years, are well liked and respected, as is the service they provide.

Yours faithfully
Gerda Race

5.

To: Sheffield Licensing Authority

My wife and I have lived at our current address for 32 years and have been a customer of Hanging Water Stores for the whole period.

In all that time I have never witnessed nor heard locally of any impropriety by the owners in the running of the business.

Our personal experience has at all times been that the store is well managed and that the owners take their licensing responsibilities very seriously.

As a father I had no worries regarding my daughter entering and being served at the said licensed premises when under age, in the certain knowledge that the owners would always uphold their duty not to permit the sale of alcohol to any young person without proof of age. In fact, I have witnessed the owners examining the ID of young person's whilst on the premises.

Should the Licensing Authority request that I attend in person any hearing they deem necessary with regard to the Licence granted to Hangingwater Stores then I shall be pleased to do so in support of the owners.

Although now retired, I have spent my life running a number of success businesses in Sheffield and whilst unrelated to that of any licensed premises, I am very capable of recognising good management when I see it.

Graham White

6.

Re the above I am surprised to hear that you are reviewing the licence of Mr Khan as I find Mr Khan and indeed his family very honest and careful in selling alcohol to the right people. It is very difficult these days to gauge the age of the young people as most of them dress and act of much older persons.

I have known Mr Khan and family for over 30 years and I know it is NOT their intention to sell alcohol to the under aged.

It would be a great loss to Mr Khan and indeed the whole community if indeed he lost his licence.

Yours faithfully
J Plant Holmes

7.

Dear Sir or Madam

I'm writing in support of our local independent shop on Hangingwater Road who has given our local community and neighbours a great resource and served us well over the 10 years I've lived in the neighbourhood.

They are a good and decent family who work incredibly hard. I understand they've been duped by false ID and inadvertently sold alcohol to some one underage. As a mum of a young lad myself, I'm concerned for the child but do not blame the shop owner if they've been given false ID.

I hope you'll consider the rarity of this and am sure they'll be more cautious in future.

Yours faithfully
Lucy Ascham

8.

Dear Licensing Service

We understand that Hangingwater Stores (87A Hangingwater Road, S11 7ER) is having its alcohol license reviewed. We would like to register our support for the shop keeping its license.

We are told that this review is because underage individuals have used the store to purchase alcohol using false ID. Whilst we fully appreciate the need for shopkeepers to be vigilant to the age of alcohol-purchasing customers, the issue of individuals using false ID to deceive the shopkeeper is not in any way a reflection of the honesty, integrity and good intention of the shopkeeper. Rather, it is a reflection of the dishonesty and deceitfulness of those individuals who have gone to the trouble of illegally acquiring counterfeit ID.

We have lived in the close vicinity and shopped here for 14 years. This is a small community-oriented shop providing a valued and appreciated service to the local community.

The shop should not be penalised, nor the local community penalised, by the removal of the license.

Yours sincerely
Peter and Rachel Dillon

9.

To whom it may concern,

I've been visiting and shopping in the above store for many years, my children also! I'm appalled at the recent reports that Mr. Khan has reportedly sold alcohol to minors and from my experience I know this not to be true!

Many years ago my older step daughters tried to do the same and they were never successful! Their ID was checked a number of times in the shop and they never managed to purchase alcohol or cigarettes under age. For this I'm utterly thankful to Mr. Khan. He shows utter diligence in this respect!

I can't speak highly enough about his honesty and integrity and I'm more than happy to appear in person to support him if required! I find this claim to be a personal smear on a very successful businessman who's operated Hangingwater Stores for many years with no previous reports of inappropriate behaviour.

I find your response to his thus far impeccable and responsible behaviour and zero tolerance to serving people under age to be insulting to him and the community!

Regards
Paul Baxter-Gibson

10.

Hi,

I would be very disappointed if this shop were to lose its license. There is plenty of signage up stating ID is required when purchasing alcohol.

The alternative for me would be to go to the Tesco Express on Fulwood Rd. I would prefer independent shops to remain open.

Thanks
Ruth Jim

11.

Good morning,

I am writing this brief note as a reference to Bash and the Hangingwater local shop.

I have been living in Fulwood for 4 years now and have regularly used the shop for a variety of goods.

It is a really friendly, professional and well run local shop, where customer service is always at the highest level.

Regards
Richard Stubbs

12.

To Whom it May Concern

My business is located around the corner and I have known the proprietor for over 20 years. He is an honest and trustworthy family man who is an integral part of the local community.

Kind regards
Simon Lee

13.

To whom it may concern,

I am emailing regarding a review I understand you are carrying out of Premises Licence of Mr Khan at Hangingwater Stores Hangingwater Road Sheffield S11 7ER.

I would like to comment that I have known Mr Khan (Bash) and his family since 1991 when I moved to the area and would like it to be known, that to my knowledge, he has always run his shop in a responsible manner regarding the sale of alcohol, to the extent I have, in the past, been happy to witness family members' passports. This I would not have done if I was in any doubt as to Mr Khan's integrity. I am a teacher and have full belief that Mr Khan is respectful of the rules regarding the sale of alcohol to underage children as a parent himself and that if alcohol was sold illegally it would have been done through a deceit.

He has run a local shop that has served the community well in all the years I have lived here and offers an independent service to the local people, which has been especially important during the current Coronavirus crisis.

If Mr Khan were to lose his license it would be a great loss to the community of Nether Green where he is a well-respected resident. I understand his 'corner shop' has had to struggle to stay profitable since Tesco purchased the Esso petrol station shop a few years ago on Fulwood Road. The loss of a license would surely make this situation much more difficult and we could potentially lose a great local shop.

I would like you to consider the comments above when the decision is made so Mr Khan can retain his alcohol licence.

Please feel free to contact me about this matter

Yours sincerely
Vicki Tulip

14.

LICENSING

27 AUG 2020

SERVICES

Re: Hangingwater Stores

My name is John Tomlinson and I retired from my position of professional lead (nursing) and senior health service manager within the NHS in 2015 after 37 years of service.

I have known Mr B. Khan for over 30 years and during that time have frequented Hangingwater Stores once or twice a day. I have always found Mr Khan and the staff at Hangingwater Stores to act in a professional and helpful manner. I have witnessed them to be very responsible and vigilant in their sale of alcohol and have never seen them sell alcohol to young people who I have felt were under the legal age. Over the years I have witnessed Mr Khan and his staff challenge young people on their age, asking for proof of age and identity on too many occasions to count as this is an ongoing event.

I have no reservations in saying I am satisfied that Mr Khan and his agents always act within the law when it comes to the sale of alcohol and the age of his customers.

Yours Sincerely

Appendix 'E'

Hearing Notices / Regulations / Procedures

Notice of hearing to consider an application for review of premises licence and any relevant representations

Ms Julie Hague
Sheffield Children's Safeguarding Partnership (Applicant)

The Sheffield City Council being the licensing authority, on 29th July 2020 received an application from Sheffield Children's Safeguarding Partnership for a review of a Premises Licence in respect of premises known as:

Hangingwater Stores, 87a Hangingwater Road, Sheffield, S11 7ER

During the consultation period the Council has received representations from the Director for Public Health, South Yorkshire Police and Sheffield Trading Standards.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held electronically via Zoom on **Monday 14th September 2020 at 2pm**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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: 4th September 2020

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:
The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.
Email – 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.

LICENSING ACT 2003

Form LAR 1
Regulation 8

Premises: **Hangingwater Stores, 87a Hangingwater Road, Sheffield, S11 7ER**
Type of App: **Review of a Premises Licence**
Hearing Date: **14th September 2020 – 2pm 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 **Ms Julie Hague, Sheffield Children’s Safeguarding Partnership (Applicant)**

hereby confirm that I have received the Notice of Hearing dated **4th September 2020** and notify you as follows **(please complete)**:

I intend to attend the hearing at 2pm on Monday 14th September 2020 via Zoom.

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I do not 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.

Licensing Act 2003 – Hearing Procedure (REVIEW) – 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 and other parties 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 by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The 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.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) 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 Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Notice of hearing to consider an application for review of premises licence and any relevant representations

Ms Magdalena Boo
On behalf of the Director for Public Health

The Sheffield City Council being the licensing authority, on 29th July 2020 received an application from Sheffield Children's Safeguarding Partnership for a review of a Premises Licence in respect of premises known as:

Hangingwater Stores, 87a Hangingwater Road, Sheffield, S11 7ER

During the consultation period the Council has received representations from the Director for Public Health, South Yorkshire Police and Sheffield Trading Standards.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held electronically via Zoom on **Monday 14th September 2020 at 2pm**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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: 4th September 2020

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:
The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Ms Catherine Jarvis
South Yorkshire Police

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Notice of hearing to consider an application for review of premises licence and any relevant representations

Mr David Clutterbrook
Sheffield Trading Standards

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Signed: Jayne Gough
The officer appointed for this purpose

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Sheffield,
S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Mr Adrian Stone
Local Resident in support of premises

The Sheffield City Council being the licensing authority, on 29th July 2020 received an application from Sheffield Children's Safeguarding Partnership for a review of a Premises Licence in respect of premises known as:

Hanginwater Stores, 87a Hanginwater Road, Sheffield, S11 7ER

During the consultation period the Council has received representations from the Director for Public Health, South Yorkshire Police and Sheffield Trading Standards.

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Signed: Jayne Gough
The officer appointed for this purpose

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Notice of hearing to consider an application for review of premises licence and any relevant representations

Mr Chris Greenwood
Local Resident in support of premises

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S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Ms Charlotte O'Brien
Local Resident in support of premises

The Sheffield City Council being the licensing authority, on 29th July 2020 received an application from Sheffield Children's Safeguarding Partnership for a review of a Premises Licence in respect of premises known as:

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Dated: 4th September 2020

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:
The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Mrs Gerda Race
Local Resident in support of premises

The Sheffield City Council being the licensing authority, on 29th July 2020 received an application from Sheffield Children's Safeguarding Partnership for a review of a Premises Licence in respect of premises known as:

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Mr Graham White
Local Resident in support of premises

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Ms Jean Plant Holmes
Local Resident in support of premises

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Notice of hearing to consider an application for review of premises licence and any relevant representations

Mr John Tomlinson
Local Resident in support of the premises

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PLEASE NOTE: We will need a valid email address supplying to the Licensing Service to allow the Zoom link to be sent to you, and for you to subsequently be able to take part in the hearing.

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Ms Lucy Ascham
Local Resident in support of premises

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Peter and Rachel Dillon
Local Residents in support of the premises

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Mr Paul Baxter-Gibson
Local Resident in support of the premises

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Ms Ruth Jim
Local Resident in support of the premises

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Mr Richard Stubbs
Local Resident in support of the premises

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Mr Simon Lee
Local Resident in support of the premises

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Notice of hearing to consider an application for review of premises licence and any relevant representations

Ms Vicki Tulip
Local Resident in support of the premises

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Notice of hearing to consider an application for review of premises licence and any relevant representations

Mr Basharit Khan

Premises Licence Holder - Hangingwater Stores, 87a Hangingwater Road, Sheffield, S11 7ER
c/o Chris Grunert – John Gaunt & Partners Solicitors

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