

Licensing Sub-Committee

Tuesday 17 November 2020 at 2.00 pm

To be held as an online video conference

The Press and Public are Welcome to Attend

Membership

Councillors Andy Bainbridge (Chair), Ruth Mersereau and Josie Paszek
Adam Hurst (Reserve)

PUBLIC ACCESS TO THE MEETING

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

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

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

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

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

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

FACILITIES

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

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

**LICENSING SUB-COMMITTEE AGENDA
17 NOVEMBER 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 - Dorothy Pax, Arch 17, Wharf Street, Sheffield, S2 5SY**
Report of the Chief Licensing Officer

This page is intentionally left blank

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.

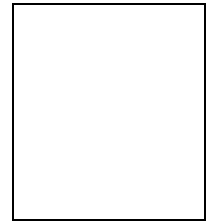
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 17th November 2020 at 2pm via zoom

Subject: Licensing Act 2003

Author of Report: Stephen Lonnia

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

Dorothy Pax, Arch 17, Wharf Street, Sheffield, S2 5SY

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

Background Papers: Attached documents
[Sheffield City Councils Statement of Licensing Policy](#)

Category of Report: OPEN

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

Ref No: 86/20

Dorothy Pax, Arch 17, Wharf Street, Sheffield, S2 5SY

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

2.1 The applicant is Dorothy Pax.

2.2 The application was received by the Licensing Service on the 25th September 2020 and is attached to Appendix 'A' of this report.

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

3.0 REASONS FOR REFERRAL

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

1 Objection

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

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARING REGULATIONS

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'D'.
- 6.3 Attached at Appendix 'D' is the following:
- a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To vary the premises licence in the terms requested.
- 9.2 To vary the premises licence with conditions.
- 9.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

17th November 2020

Appendix A

The Application

Appendix B

Current Premises Licence

Licensing Service

Place Portfolio

Block C Staniforth Road Depot

Staniforth Road

Sheffield

S9 3HD

Tel: 0114 2734264

Taxi Enquiries: taxilicensing@sheffield.gov.uk

General Licensing: licensing@sheffield.gov.uk

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:

Dorothy Pax

Arch 17, Victoria Quays, Sheffield, S2 5SY.

Not applicable

- a performance of a play
- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- provision of late night refreshment
- the supply of alcohol

Activity Day Time From Time To

A. Performance of a play (Indoors)

Sunday 9:00am Midnight

Monday 9:00am Midnight

Tuesday 9:00am Midnight

Wednesday 9:00am Midnight

Thursday 9:00am Midnight

Friday 9:00am 1:00am

Saturday 9:00am 1:00am

Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

B. Exhibition of films (Indoors)

Sunday 9:00am Midnight

Monday 9:00am Midnight

Tuesday 9:00am Midnight

Part 1 - Premises Details

Activity Day Time From Time To

B. Exhibition of films (Indoors) continued ...

Wednesday 9:00am Midnight

Thursday 9:00am Midnight

Friday 9:00am 1:00am

Saturday 9:00am 1:00am

Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

E. Performance of live music (Indoors)

Sunday 9:00am Midnight
Monday 9:00am Midnight
Tuesday 9:00am Midnight
Wednesday 9:00am 12:00am
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

F. Playing of recorded music (Indoors)

Sunday 9:00am Midnight
Monday 9:00am Midnight
Tuesday 9:00am Midnight
Wednesday 9:00am Midnight
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

G. Performance of dance (Indoors)

Sunday 9:00am Midnight
Monday 9:00am Midnight
Tuesday 9:00am Midnight
Wednesday 9:00am Midnight
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

I. Late night refreshment (Indoors)

Sunday 11:00pm Midnight
Monday 11:00pm Midnight
Tuesday 11:00pm Midnight
Wednesday 11:00pm Midnight
Thursday 11:00pm Midnight
Friday 11:00pm 1:00am
Saturday 11:00pm 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity Day Time From Time To

J. Supply of alcohol for consumption ON and OFF the premises

Sunday 9:00am Midnight
Monday 9:00am Midnight
Tuesday 9:00am Midnight
Wednesday 9:00am Midnight
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Bank Holiday Weekends 9:00am 1:00am Friday to Monday inclusive
Christmas Eve (24/12) 9:00am 1:00am
Christmas Day (25/12) 9:00am 1:00am
Boxing Day (26/12) 9:00am 1:00am
New Years Eve (31/12)

Day Time From Time To

Sunday 6:00am 12:30am
Monday 6:00am 12:30am
Tuesday 6:00am 12:30am
Wednesday 6:00am 12:30am
Thursday 6:00am 12:30am
Friday 6:00am 1:30am
Saturday 6:00am 1:30am
Non Standard Timings:

The premises will close 30 minutes after the end of the non-standard timings identified above.

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

**Arch 17 Victoria Quays, Wharf Street, Sheffield, S2 5SY.
Dorothy Pax Limited**

Dorothy Pax Limited 10792202

Richard William HENDERSON 21a St Mary's Gate, Tickhill, Doncaster, DN 11 9LY.

Licence No: **LN201700248** Issued by: **Doncaster**

Restricted

This Premises Licence shall be in force from: 28 October, 2017

Issue date of this licence: 12 October, 2018

Steve Lonnia

**Head of Licensing Services
On behalf of Sheffield City Council (Issuing Licensing Authority)
Licence first effective date: 28 October, 2017**

Annex 1A - Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

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

(a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).

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

2. In this section - “children” means persons aged under 18; and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

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

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

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula- $P = D + (D \times V)$ where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that subparagraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

1.-(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Printed on 28 Oct 2020 at 19:32 167063/167063 Page 7 of 13

Annex 2 - Conditions consistent with the operating schedule

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

2. A permanently fixed Residual Current Device (RCD) must protect the electrical supply serving all amplified music equipment for live music.

3. All external doors and windows shall be closed when regulated entertainment comprising live or recorded music is provided except for the purposes of access, egress or in the event of an emergency.

4. Any amplified sound or live music (amplified or unamplified) shall not be played in such a way that noise breakout beyond the licensed area does not exceed:

- i. Background noise levels by more than 3dB(A) when measured as a 15 minute LAeq, or
- ii. Any octave band centre frequency by more than 3sB(A) when measured as a 15 minute Leq, when measured at the facade of the nearest noise sensitive property.

5. The DPS or designated member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the external area(s) and access/egress.

6. The premises licence holder shall prominently display A5 notices in all external areas reminding patrons to be quiet whilst using the facilities provided and respect the local neighbours' needs.

7. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

8. The use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where deployed, door staff shall be licensed by the Security Industry Authority.

9. Alcoholic and other drinks may not be removed from the premises in open containers except for consumption in any external area provided for that purpose.

10. Staff will receive training on matters concerning underage sales, drug policies, and operating procedures.

11. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.

12. The premises will operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.

13. A refusals book (or equivalent) shall be kept at the premises to record all instances where sale of alcohol is refused.

- The basis for the refusal
- The person making the decision to refuse; and
- The date and time of refusal

Such records shall be retained at the Premises for at least 12 months, and shall be made available for inspection by the Police or any other authorised person on request.

14. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
15. A satisfactory electrical certificate shall be provided for the premises.
16. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
17. Noise shall not emanate from the premises so as to cause a nuisance to nearby properties.
18. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.
19. Children under the age of 16 shall not be permitted to remain on the premises after 21:00 hours unless dining with an adult or attending a pre-booked family type function.
20. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
21. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
22. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

The Dorothy Pax, Arch 17 Wharf Street, Sheffield, S2 5SY
Drawing No: DP/001
Dated: September 2017

Licensing Service

Place Portfolio

Block C Staniforth Road Depot

Staniforth Road

Sheffield

S9 3HD

Tel: 0114 2734264

Taxi Enquiries: taxilicensing@sheffield.gov.uk

General Licensing: licensingservice@sheffield.gov.uk

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:

Dorothy Pax

Arch 17, Victoria Quays, Sheffield, S2 5SY.

Not applicable

- a performance of a play
- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- provision of late night refreshment
- the supply of alcohol

Activity Day Time From Time To

A. Performance of a play (Indoors)

Sunday 9:00am Midnight

Monday 9:00am Midnight

Tuesday 9:00am Midnight

Wednesday 9:00am Midnight

Thursday 9:00am Midnight

Friday 9:00am 1:00am

Saturday 9:00am 1:00am

Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

B. Exhibition of films (Indoors)

Sunday 9:00am Midnight

Monday 9:00am Midnight

Tuesday 9:00am Midnight

Premises Details

Activity Day Time From Time To

B. Exhibition of films (Indoors) continued ...

Wednesday 9:00am Midnight

Thursday 9:00am Midnight

Friday 9:00am 1:00am

Saturday 9:00am 1:00am

Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

E. Performance of live music (Indoors)

Sunday 9:00am Midnight

Monday 9:00am Midnight

Tuesday 9:00am Midnight

Wednesday 9:00am 12:00am
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

F. Playing of recorded music (Indoors)

Sunday 9:00am Midnight
Monday 9:00am Midnight
Tuesday 9:00am Midnight
Wednesday 9:00am Midnight
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

G. Performance of dance (Indoors)

Sunday 9:00am Midnight
Monday 9:00am Midnight
Tuesday 9:00am Midnight
Wednesday 9:00am Midnight
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

I. Late night refreshment (Indoors)

Sunday 11:00pm Midnight
Monday 11:00pm Midnight
Tuesday 11:00pm Midnight
Wednesday 11:00pm Midnight
Thursday 11:00pm Midnight
Friday 11:00pm 1:00am
Saturday 11:00pm 1:00am
Non Standard Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

J. Supply of alcohol for consumption ON and OFF the premises

Sunday 9:00am Midnight
Monday 9:00am Midnight

Activity Day Time From Time To

J. Supply of alcohol for consumption ON and OFF the premises continued ...

Tuesday 9:00am Midnight
Wednesday 9:00am Midnight
Thursday 9:00am Midnight
Friday 9:00am 1:00am
Saturday 9:00am 1:00am
Bank Holiday Weekends 9:00am 1:00am Friday to Monday inclusive
Christmas Eve (24/12) 9:00am 1:00am
Christmas Day (25/12) 9:00am 1:00am
Boxing Day (26/12) 9:00am 1:00am
New Years Eve (31/12)

Day Time From Time To

Sunday 6:00am 12:30am
Monday 6:00am 12:30am
Tuesday 6:00am 12:30am
Wednesday 6:00am 12:30am
Thursday 6:00am 12:30am
Friday 6:00am 1:30am
Saturday 6:00am 1:30am
Non Standard Timings:

The premises will close 30 minutes after the end of the non-standard timings identified above.

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

- J. Supply of alcohol for consumption ON and OFF the premises

**Arch 17 Victoria Quays, Wharf Street, Sheffield, S2 5SY.
Dorothy Pax Limited**

Dorothy Pax Limited 10792202

Richard William HENDERSON

Restricted

**This premises licence shall be in force from: 28 October, 2017
Issued date of this licence: 12 October, 2018
On behalf of Sheffield City Council (Issuing licensing authority)**

Steve Lonnia

**Head of Licensing Services
Licence first effective date: 28 October, 2017**

Appendix C

Objection

Dear Michael,

I believe you are dealing with the above matter.

I am writing to object to the attached application which has been made for a variation of the premises licence, by Dorothy Pax. We, Fernie Greaves Ltd manage the site at Victoria Quays, where this tenant is an occupant, on behalf of Victoria Quays Management Company (VQMC) who also own most of the land on site.

On behalf of VQMC we object to the proposal, as detailed below:

The tenant does not have permission from ourselves, nor their landlord, Canal and River Trust to use the area he has stipulated in the licence application. The tenant has a lease over unit 17 only. He has recently started to use the area on top of the archways with the erection of tables and a bar, which has not been consented to, and poses many issues in terms of health and safety. He is therefore trespassing on this land. We have also recently written to the council's health and safety department with regard to this, due to concerns over this area being used without consent, due to the height of it, people drinking on this level and the numerous trip hazards and hazards with electrical appliances and cabling left open to the weather. This is dangerous in terms of electrical safety as well as trip hazards being present on the top of the archways above the unit, as the tenant is taking external cables from his unit to a bar and fridge which are open to the weather.

Also, the tenant as shown from the attached plan appears to wish to extend his licenced area and further encroach his occupation towards the canal itself, again which he does not have permission for, this is private land. There have unfortunately also been several fatalities in the canal over the last few years and we believe that further late night entertainment with the likelihood of increased alcohol sales, as well as the closer proximity of some customers to the canal will only potentially contribute further to such tragedies. The licenced area proposed also encroaches on the roadway and footpaths. It is important that the road is left open as due to areas of the site being narrow especially for large vehicles to turn, the site operates as a through road where large vehicles need access past the premises in question to exit the site through the barrier near ANT Marketing. Encroaching on footpaths also causes safety issues for pedestrians especially the disabled, as if blocked, it is not practical for them to have to go over the cobbled roadway.

In addition we have had several complaints from other occupiers and tenants already on site about noise coming from Dorothy Pax, and therefore any permission granted to extend their opportunity to increase the noise level and frequency of excessive noise from music, playing films etc would only add to this issue. The site has a considerable number of residential units, with the apartment block, the Warehouse, as well as people living on canal boats. Anti-social behaviour has also been an issue in on site the recent past, again which we have been informed emanated from Dorothy Pax. The hours of operation are also very late, especially considering the amount of people living on site and the complaints already received.

In view of the applicant not having consent from us or his landlord regarding the licence application, including the areas specified on the application and other matters detailed above, we strongly object to the proposals.

Appendix D

Hearing Notices / Regulations / Procedures



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

Dorothy Pax
c/o John Gaunt Solicitors

Sent via email:

The Sheffield City Council being the licensing authority, on the 25th September 2020 received your application in respect of the premises known as;

Dorothy Pax, Arch 17, Wharf Street, Sheffield, S2 5SY

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

1 Interested Party

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held **remotely via Zoom on Tuesday 17th November 2020 at 2pm**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 2nd November 2020

Signed: Craig Harper

The officer appointed for this purpose
Licensing Officer



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

Stephanie Brooke

Sent via email:

The Sheffield City Council being the licensing authority, on the 25th September 2020 received an application in respect of the premises known as;

Dorothy Pax, Arch 17, Wharf Street, Sheffield, S2 5SY

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

1 Interested Party

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held **remotely via Zoom on Tuesday 17th November 2020 at 2pm**; following which the Council will issue a notice of determination of the application. **(An online link to the meeting will be sent to you prior to the hearing).**

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

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

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

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

Please also confirm an email address to send the zoom video link to.

Dated: 2nd November 2020

Signed: Craig Harper

The officer appointed for this purpose
Licensing Officer

Regulation 8

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

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

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

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

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

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

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

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

NB: 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.

- 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

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

Premises Licence Number

SY 002565 PR

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description The Dorothy Pax, Arch 17, Wharf Street	
Post town Sheffield	Post code S2 5SY

Telephone number of premises (if any)

Non-domestic rateable value of premises

£8,100 (band B)

Part 2 - Applicant Details

Daytime contact telephone number

Email address
(optional)

Current postal
address if
different from
premises address

Same as premises.

Post Town

Postcode

Part 3 – Variation

Do you want the **proposed** variation to have effect as soon as **possible**?

Please tick yes



If not do you want the variation to take effect from:

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

N/A

Do you want the proposed variation to have effect in relation to the introduction of the late **night levy**?
(Please see Guidance Note 1)

yes no

Please describe **briefly** the nature of the **proposed** variation (please read guidance note 2)

These **premises** are **presently** licensed for **plays, films, live music, recorded music, performance of dance, late night refreshment** and the sale of alcohol for the following hours:

Plays, films, live music, recorded music, performance of dance and sale of alcohol by retail

- **Sunday to Thursday: 09.00 – 00.00;** and
- **Friday to Saturday: 09.00 – 01.00.**

Late night refreshment

- **Sunday to Thursday: 23.00 – 00.00;** and
- **Friday to Saturday: 23.00 – 01.00.**

Hours open to the public

- **Sunday to Thursday: 06.00 – 00.30;** and
- **Friday to Saturday: 06.00 – 01.30.**

1) External licensed area

The **application** seeks to license external areas **edged** red on the **plan deposited** with this **application** for **plays, films, live music, recorded music, performance of dance** and the sale of alcohol between 09.00 and 22.00.

Numerous **Temporary Event Notices** have been undertaken in these external areas over the years, **including** for the **provision** of music to **similar, or later, timings** than those **sought** under this **application**.

Part 4 **operating** schedule has been **completed** to reflect those **licensable** activities **proposed externally** but for those hours **currently** endorsed on the **premises** licence (**which** remain **unchanged**). **Accordingly**, Box L has not been **completed**.

The **proposed** hours for external licensable activities are addressed in point 2(a) below.

2) Licence conditions

a. External licensable activities

The variation seeks to impose the **following** conditions on the licence should the variation be granted as **requested**:

- *Licensable **activities** will be permitted in the external licensed areas between 09.00 and 22.00 only.*
- *Regulated entertainment comprising live music or recorded music will not be permitted in the external licensed areas on more than 8 days per year.*
- *Sale of alcohol will not be permitted in the external licensed areas on more than 12 days per year other than from a temporary bar structure located outside Arch 17.*

3) Children's condition

The licence currently contain the **following condition** (Annex 2, condition 19):

"Children under the age of 16 shall not be permitted to remain on the premises after 21.00 unless dining with an adult or attending a pre-booked family type function."

In the event that the application is granted to license the proposed external areas then the application also seeks to amend the above condition so that it states:

"Children under the age of 16 shall not be permitted to remain on the premises after 21.00 unless dining with an adult or attending a pre-booked family type function. This condition will not apply to the externally licensed areas."

Part 4 Operating Schedule

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

Please tick ✓ yes

Provision of regulated entertainment (Please see guidance note 3)

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

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (Y) (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon	09.00	00.00	Please give further details here (please read guidance note 5) As per the existing licence.	Both	✓
Tue	09.00	00.00			
Wed	09.00	00.00	State any seasonal variations for performing plays (please read guidance note 6)		
Thur	09.00	00.00			
Fri	09.00	01.00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7) Non-standard timings to continue as per the existing premises licence.		
Sat	09.00	01.00			
Sun	09.00	00.00			

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (Y) (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon	09.00	00.00	Please give further details here (please read guidance note 5) As per the existing licence.	Both	✓
Tue	09.00	00.00			
Wed	09.00	00.00	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur	09.00	00.00			
Fri	09.00	01.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7) Non-standard timings to continue as per the existing premises licence.		
Sat	09.00	01.00			
Sun	09.00	00.00			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (✓): (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon	09.00	00.00	Please give further details here (please read guidance note 5) As per the existing licence.	Both	✓
Tue	09.00	00.00			
Wed	09.00	00.00	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	09.00	00.00			
Fri	09.00	01.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) Non-standard timings to continue as per the existing premises licence.		
Sat	09.00	01.00			
Sun	09.00	00.00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓): (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon	09.00	00.00	Please give further details here (please read guidance note 5) As per the existing licence.	Both	✓
Tue	09.00	00.00			
Wed	09.00	00.00	State any seasonal variations for playing recorded music (please read guidance note 6)		
Thur	09.00	00.00			
Fri	09.00	01.00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 7) Non-standard timings to continue as per the existing premises licence.		
Sat	09.00	01.00			
Sun	09.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (Y): (please read guidance note 4).	Indoors
Day	Start	Finish		Outdoors
Mon	09.00	00.00	Please give further details here (please read guidance note 5) As per the existing licence.	Both <input checked="" type="checkbox"/>
Tue	09.00	00.00		
Wed	09.00	00.00	State any seasonal variations for the performance of dance (please read guidance note 6)	
Thur	09.00	00.00		
Fri	09.00	01.00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 7) Non-standard timings to continue as per the existing premises licence.	
Sat	09.00	01.00		
Sun	09.00	00.00		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (Y): (please read guidance note 4).	Indoors
Mon				
Tue			Please give further details here (please read guidance note 5)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick (Y): (please read guidance note 4).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 9)	On the premises		
Day	Start	Finish		Off the premises		
Mon	09.00	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 6)			
Tue	09.00	00.00				
Wed	09.00	00.00				
Thur	09.00	00.00		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	09.00	01.00				
Sat	09.00	01.00		Non-standard timings to continue as per the existing premises licence.		
Sun	09.00	00.00				

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 6)
Day	Start	Finish	
Mon	06.00	00.30	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p> <p>Non-standard timings to continue as per the existing premises licence.</p>
Tue	06.00	00.30	
Wed	06.00	00.30	
Thur	06.00	00.30	
Fri	06.00	01.30	
Sat	06.00	01.30	
Sun	06.00	00.30	

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

None **except** the amendment to Annex 2 condition 19 identified in Part 3 above.

Please tick ✓ yes

I have enclosed the **premises** licence



I have enclosed the relevant part of the premises licence



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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

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

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

I have undertaken my own risk assessment to take the following proposed steps.

The principal variation being licensing external areas is not anticipated to adversely affect the four licensing objectives and the conditions to remain on the Licence and the conditions requested to be imposed are assessed to be sufficient.

No new steps have been identified in relation to the four licensing objectives save as below.

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

No further risks have been identified which need to be addressed

c) **Public safety**

No further risks have been identified which need to be addressed

d) **The prevention of public nuisance**

The following conditions are to be imposed on the licence should the application be granted as requested:

- *Licensable activities will be permitted in the external licensed areas between 09.00 and 22.00 only*
- *Regulated entertainment comprising live music or recorded music will not be permitted in the external licensed areas on more than 8 days per year.*
- *Sale of alcohol will not be permitted in the external licensed areas on more than 12 days per year other than from a temporary bar structure located outside Arch 17.*

No further risks have been identified which need to be addressed.

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

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

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

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

Part 5 - Signatures (please read guidance note 12)

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

Signature: John Gaunt & Partners



Date: 22/9/20

Capacity: Solicitors

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

Signature: John Gaunt & Partners

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 6FT
Telephone number (if any) XXXXXXXXXX	
If you would prefer us to correspond with you by email your email address (optional) XXXXXXXXXX	

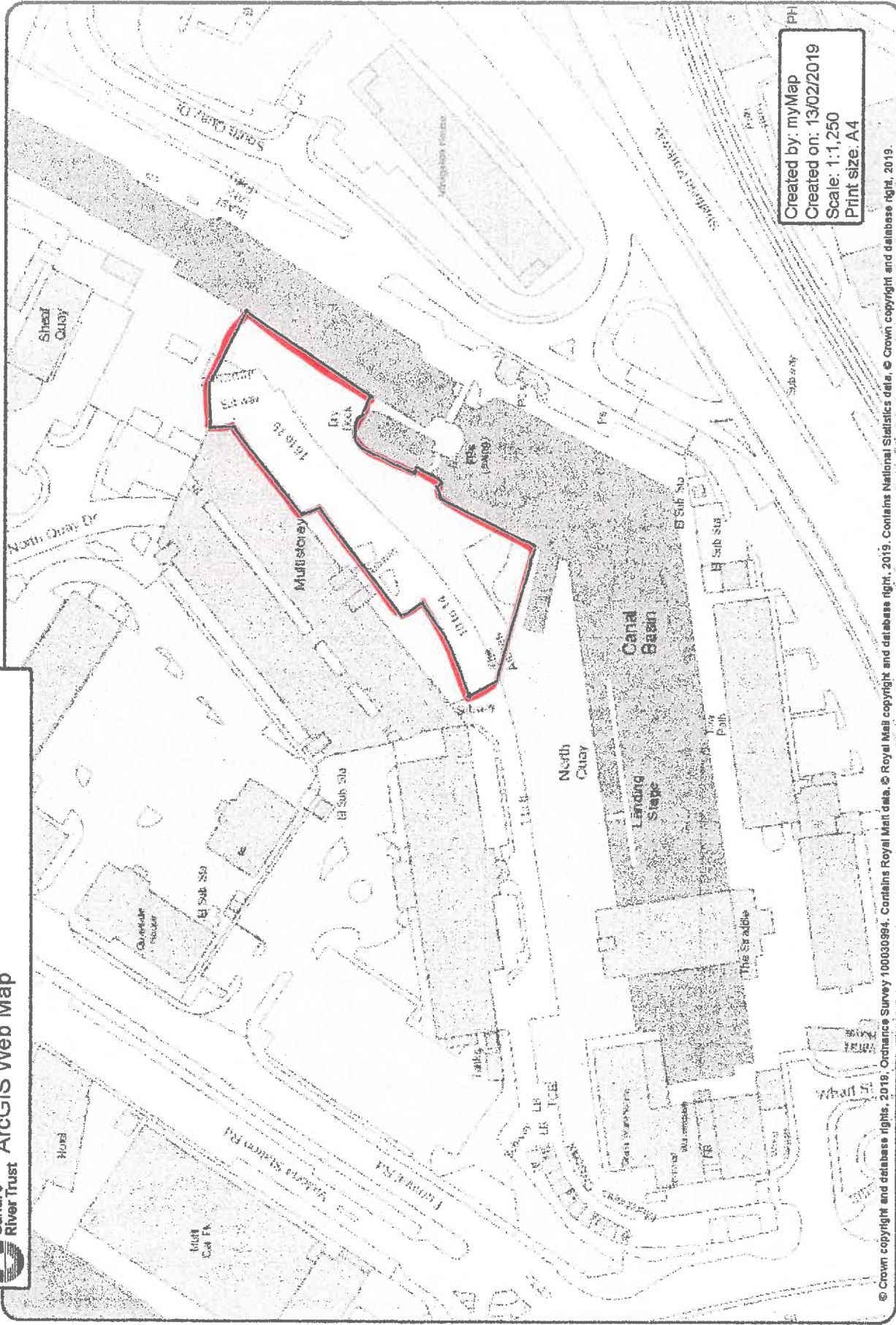
Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports - defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts - are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - **Dance:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - **Cross activity exemptions:** no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

EXTERNAL
LIVERIED
ARLGA



Created by: myMap
Created on: 13/02/2019
Scale: 1:1,250
Print size: A4

© Crown copyright and database rights, 2018. Ordnance Survey 100030994. Contains Royal Mail data. © Royal Mail copyright and database right, 2019. Contains National Statistics data. © Crown copyright and database right, 2019.

This page is intentionally left blank