

# **Licensing Sub-Committee**

**Monday 30 May 2022 at 10.00 am**

**To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

**Councillors David Barker (Chair), Vickie Priestley and Cliff Woodcraft  
George Lindars-Hammond (Reserve)**

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## **PUBLIC ACCESS TO THE MEETING**

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

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

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

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

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

If you require any further information please contact John Turner on 0114 474 1947 or email [john.turner@sheffield.gov.uk](mailto:john.turner@sheffield.gov.uk)

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## **FACILITIES**

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

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

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**LICENSING SUB-COMMITTEE AGENDA  
30 MAY 2022**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Olivia's, 173 - 193 West Street, Sheffield, S1 4EW**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

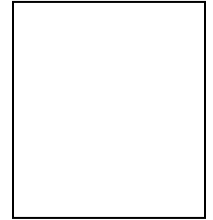
Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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

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**Date:** **Monday 30<sup>th</sup> May 2022 – 10:00am**

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**Subject:** Licensing Act 2003

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**Author of Report:** Jayne Gough

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**Summary:** To consider an application to grant a premises licence made under the Licensing Act 2003 for **Olivia's, 173-179 West Street, Sheffield, S1 4EW**

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

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

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**Category of Report:** OPEN

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

**Ref No 83/22**

**Olivia's, 173-179 West Street, Sheffield, S1 4EW**

**1.0 PURPOSE OF REPORT**

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

**2.0 THE APPLICATION**

2.1 The applicants are West Street Leisure Limited, who are the Landlords of the building within which the premises operates.

2.2 The application was received by the Licensing Service on the 4<sup>th</sup> October 2021 and is attached at Appendix 'A' of this report.

2.3 As the premises is already licensed and operating in the City Centre, the application is for a "shadow licence" of what is already in place, with all terms of the current licence being exactly mirrored in the application.

2.4 The landlord wishes to safeguard the premises in the event that the licence becomes at risk in the future, following an instance where a previous premises licence for the premises lapsed due to difficulties suffered by the previous operators and the licence fell away.

2.5 The current/existing premises licence has been included in this report and can be found at Appendix 'B'.

**3.0 REASONS FOR REFERRAL**

3.1 An unresolved representation concerning the application has been received from the following and is attached at Appendix 'C':

- 1 x Local Resident

3.2 Initially, there were further objections from the Environmental Protection Service (EPS) and another local resident group – Changing Sheff. These objections were made under the objective of prevention of public nuisance as there has been a history of noise complaints from the premises. The plans submitted with the application did not reflect the current layout of the premises, with an acoustic sound lobby being missing within the premises itself due to the doors opening in the incorrect direction.

3.3 It was agreed with all parties at the end of the application consultation period that the hearing for the determination of this application could be deferred to allow the works within the premises to be completed, therefore negating and resolving the objection.

3.4 Works have now been completed with EPS and Changing Sheff withdrawing their objections. The remaining resident has maintained their objection as they have kept a log of noise breakout since the works have been completed which is continuing to cause

nuisance to them.

3.5 Local residents who have raised concerns are aware of the Review process in the event that the determination is in favour of the applicant and noise issues continue.

3.6 The applicant and the objector who made a written representation have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'.

#### **4.0 POLICIES TO CONSIDER**

4.1 Sheffield City Council Statement of Licensing Policy.

#### **5.0 FINANCIAL IMPLICATIONS**

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

#### **6.0 THE LEGAL POSITION**

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

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

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

#### **7.0 HEARINGS REGULATIONS**

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

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

7.3 Attached at Appendix 'D' is the following: -

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

#### **8.0 APPEALS**

8.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations against decisions of the Licensing

Authority to the Magistrates' Court.

## **9.0 RECOMMENDATIONS**

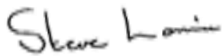
9.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

## **10.0 OPTIONS OPEN TO THE COMMITTEE**

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnia  
Chief Licensing Officer  
Head of Licensing

Date: 30<sup>th</sup> May 2022

# Appendix 'A'

**Application & Plan**

# Appendix 'B'

**Current Premises Licence**

# Appendix 'C'

**Objection:**  
1 x Local Resident

# Appendix 'D'

## Hearing Notices and Regulations



**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description  173 - 179 West Street	
Post town Sheffield	Post code S1 4EW

Telephone number of premises (if any)

Non-domestic rateable value of premises

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

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

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

Please tick  yes

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

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

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

Surname  First names

Date of Birth:  I am 18 years old or over  Please tick  
Nationality:

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**Second Individual Applicant (if applicable)**

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

Surname  First names

Date of Birth:  I am 18 years old or over  Please tick  
Nationality:

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

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

Name West Street Leisure Limited
Address 440 Firth Park Road, Sheffield, S5 6HH
Registered number (where applicable) 08799413
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any)
E-mail address (optional)

**Part 3 – Operating Schedule**

When do you want the premises licence to start?

**As soon as possible.**

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

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

Day    Month    Year

A	S	A	P						
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Day    Month    Year

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N/A
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**Please give a general description of the premises (please read guidance note 1)**

The premises is an established licensed property operating for many years as such and recently under premises licence SY2426PR. Due to the insolvency of that licence holder, the licence lapsed and could not be reinstated by way of licence transfer by the time that event came to light.

Accordingly, a premises licence application was submitted by the landlord of the premises seeking to reinstate licensable activities at the premises principally on the same terms previously authorised. That application was granted in April 2021 with a variation application then submitted in relation to the external areas and licence conditions. The variation was granted by the licensing sub-committee on 8<sup>th</sup> June 2021. The premises licence number for the current premises licence is not known.

The licence was then subsequently transferred to the current tenant who is currently responsible for its operation.

The landlord wishes to obtain a separate premises licence for the same property on exactly the same terms and conditions as the premises licence held by its tenant. Such a licence is colloquially known as a 'shadow licence' and protects the landlord's position in the event the current premises licence is put at risk, as was the case when previous premises licence SY2426PR lapsed.

The application therefore seeks to permit licensable activities as follows:

- Sale of alcohol by retail: 10.00 – 03.00 daily;
- Exhibition of films: 10.00 – 03.00 daily;
- Live music: 10.00 – 03.00 daily;
- Recorded music: 10.00 – 03.00 daily;
- Late night refreshment: 23.00 – 03.00 daily; and
- Opening hours: 10.00 – 03.30 daily.

Non-standard timings are also sought as detailed in the relevant sections of the application below.

Due to the fact that the terms and conditions exactly mirror the current premises licence in force (including the changes made under the variation granted in June 2021), it is not anticipated that the licence sought will adversely affect the licensing objectives.

The relevant licensing plans for the premises are those already held by the Licensing Authority for the in force premises licence, being drawing 101E. The proposed extent of the licensed area is to be the same as the drawing approved under the current premises licence, namely all licensable activities being permitted within the internal areas edged red on the deposited drawing and late night refreshment and sale of alcohol being permitted in the external areas edged red.

On the basis that the landlord (applicant) does not intend to engage in the sale of alcohol by retail from the premises then no details have been provided for a proposed Designated Premises Supervisor).

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

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

Please tick  yes

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

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

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

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

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

**A**

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

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) As per current premises licence in force		
Mon	10.00	03.00			
Tue	10.00	03.00	State any seasonal variations for the exhibition of films (please read guidance note 5) n/a – save as below		
Wed	10.00	03.00			
Thur	10.00	03.00	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 6)		
Fri	10.00	03.00			
Sat	10.00	03.00	<ul style="list-style-type: none"> <li>• New Year’s Eve – from 10.00 until 03.00 on 2<sup>nd</sup> January</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each bank holiday weekend</li> <li>• An additional hour into the morning every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend</li> <li>• At the start of British summertime the terminal hour for all licensable activities and the closing time shall be extended by one hour.</li> </ul>		
Sun	10.00	03.00			

**C**

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

**D**

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

**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	10.00	03.00	Please give further details here (please read guidance note 4)  As per current premises licence in force	Both	
Tue	10.00	03.00			
Wed	10.00	03.00	State any seasonal variations for the performance of live music (please read guidance note 5)  n/a – save as below		
Thur	10.00	03.00			
Fri	10.00	03.00	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 6)  <ul style="list-style-type: none"> <li>• New Year's Eve – from 10.00 until 03.00 on 2<sup>nd</sup> January</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each bank holiday weekend</li> <li>• An additional hour into the morning every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend</li> <li>• At the start of British summertime the terminal hour for all licensable activities and the closing time shall be extended by one hour.</li> </ul>		
Sat	10.00	03.00			
Sun	10.00	03.00			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	10.00	03.00	Please give further details here (please read guidance note 4) As per current premises licence in force	Both	
Tue	10.00	03.00			
Wed	10.00	03.00	State any seasonal variations for playing recorded music (please read guidance note 5) n/a – save as below		
Thur	10.00	03.00			
Fri	10.00	03.00	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 6)  <ul style="list-style-type: none"> <li>• New Year's Eve – from 10.00 until 03.00 on 2<sup>nd</sup> January</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each bank holiday weekend</li> <li>• An additional hour into the morning every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend</li> <li>• At the start of British summertime the terminal hour for all licensable activities and the closing time shall be extended by one hour.</li> </ul>		
Sat	10.00	03.00			
Sun	10.00	03.00			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	10.00	03.00	Please give further details here (please read guidance note 4) As per current premises licence in force	Both	
Tue	10.00	03.00			
Wed	10.00	03.00	State any seasonal variations for the performance of dance (please read guidance note 5) n/a – save as below		
Thur	10.00	03.00			
Fri	10.00	03.00	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 6)  <ul style="list-style-type: none"> <li>• New Year's Eve – from 10.00 until 03.00 on 2<sup>nd</sup> January</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each bank holiday weekend</li> <li>• An additional hour into the morning every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend</li> <li>• At the start of British summertime the terminal hour for all licensable activities and the closing time shall be extended by one hour.</li> </ul>		
Sat	10.00	03.00			
Sun	10.00	03.00			



## H

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

## I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).		Indoors	
Day	Start	Finish			Outdoors	
					Both	X
Mon	23.00	03.00				
Tue	23.00	03.00	Please give further details here (please read guidance note 4)			
Wed	23.00	03.00	As per current premises licence in force			
Thur	23.00	03.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Fri	23.00	03.00	n/a – save as below			
Sat	23.00	03.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)			
Sun	23.00	03.00				
			<ul style="list-style-type: none"> <li>• New Year's Eve – from 23.00 until 03.00 on 2<sup>nd</sup> January</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each bank holiday weekend</li> <li>• An additional hour into the morning every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend</li> <li>• At the start of British summertime the terminal hour for all licensable activities and the closing time shall be extended by one hour.</li> </ul>			

**J**

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10.00	03.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)  n/a – save as below       Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)	Both	X
Tue	10.00	03.00			
Wed	10.00	03.00			
Thur	10.00	03.00			
Fri	10.00	03.00			
Sat	10.00	03.00			
Sun	10.00	03.00			

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

**Name:** None  
**Date of Birth:** n/a  
**Address:** n/a  
**Postcode:** n/a  
**Personal Licence number (if known):** n/a  
**Issuing licensing authority (if known):** n/a

**K**

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

Adult entrainment is prohibited while persons under the age of 18 years are at the premises.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)  n/a – save as below
Day	Start	Finish	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 6)  The premises will close 30 minutes after the end of the hours of licensable activities when non-standard timings are applicable.
Mon	10.00	03.30	
Tue	10.00	03.30	
Wed	10.00	03.30	
Thur	10.00	03.30	
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun	10.00	03.30	

M

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

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

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

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

No further risks have been identified which need to be addressed, save as below

1. The premises will operate a 'Challenge 25' Policy.
2. Acceptable identification for the purposes of age verification include a driving licence, passport or photographic identification bearing the "PASS" logo and the person's date of birth, military identification or other internationally recognised photographic ID documents.
3. Challenge 25 poster shall be clearly displayed in a prominent position at the entry to the premises.
4. Customers will not be permitted to enter or leave the premises carrying open bottles or drinking vessels other than coming to and from areas within the control of the licence holder.
5. A CCTV system shall be installed and maintained to the satisfaction of the South Yorkshire Police, which shall include cameras recording footage of evidential quality covering main public access, including all entrance and exit doors. Footage shall be retained from all cameras for a minimum of 31 days. At least one trained member of staff will be available at all times the premises is open for licensable activities to operate the CCTV system. Footage shall be made available to for viewing by police upon request and recordings of footage will be provided, in a form agreed with South Yorkshire Police.
6. Notices stating that CCTV is in operation 24 hours a day will be displayed in the venue.
7. The Manager, DPS or other representative will attend and participate in Pub/Town watch where such a scheme is in existence.
8. All door supervisors exercising security activities will wear identifiable clothing and be licensed by the Security Industry Authority. Door Supervisors exercising their security functions outside the premises will wear a high visibility vest, jacket or identification arm-band.
9. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or a member of Police Staff.

10. The incident book will record the following:
- All crimes reported to the venue
  - All ejections of patrons
  - All complaint received in relation to crime or licensing matters
  - Any incidents of disorder
  - The seizure of drugs and offensive weapons
  - Any faults on the CCTV system and steps taken to rectify the fault
  - Any visits by a relevant authority or emergency service

**c) Public safety**

No further risks have been identified which need to be addressed, save as below

11. A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment.
12. There shall be no transportation of hot food using the main public staircase between the ground floor and first floor.

**d) The prevention of public nuisance**

No further risks have been identified which need to be addressed, save as below

13. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the external areas is managed so as not to cause a nuisance to occupiers of nearby residential properties.
14. Clear signage shall be erected and maintained in each section of the external areas advising customers to use the facilities in a quiet and orderly fashion and to respect the local neighbour's needs.
15. The lower tier of the external area shall have 18 tables in situ at all times and seating for 108 people. No speakers shall be operated in any external area of the premises unless the maximum operational noise level has been set and agreed in advance with Sheffield City Council's Environmental Protection Service. No external speakers shall be used after 23:00 hours on any day.
16. All doors forming part of any acoustic lobby shall be kept closed save for access and egress (or in case of emergency), and shall not be propped open at any time.
17. No amplified sound shall be played except through an in-house amplified sound system fitted with a sound limiting facility of limiting the sound level of the system to a pre-set level which may then be secured in a tamperproof manner.
18. All external doors and windows will be closed from 23:00 hours on any day except for the purposes of access, egress or in the event of an emergency.
19. All ventilation outlets which serve the licensed area are to be acoustically baffled and thereafter retained.
20. Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quietly.

**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 or need to be addressed, save as below

21. Unaccompanied persons under the age of 18 shall not be allowed entry to the premises except for events specifically organised for the under 18s market.
22. When holding events solely aimed at the youth market (under 18s):
  - No alcohol is to be visible, sold or made available on the premises
  - Teen events will be non-smoking events
  - Cigarettes will not be permitted into, or sold during the event.
  - No adult entertainment will be provided at any time a person under 18 is on the premises
  - AWP machines will be covered, unplugged and prevented from being used.
  - Any youth found to have consumed any alcoholic beverage prior to entry will be given care and assistance with contacting family and arranging transportation, but will be refused entry to the event.
  - Any youth found to have consumed alcohol preceding the event, after being permitted entry, will be given care and assistance with contacting family and arranging transportation, but will be required to leave with appropriate care and support.

**Checklist:**

**Please tick to indicate agreement**

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

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

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

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

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• {Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership} I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
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Signature: John Gaunt & Partners.....

Date: 4<sup>th</sup> October 2021 .....

Capacity: Solicitors.....

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

Signature: .....

Date: .....

Capacity: .....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
<b>John Gaunt &amp; Partners Omega Court 372 Cemetery Road</b>	
Post town <b>Sheffield</b>	Post code <b>S11 8FT</b>
Telephone number (if any)	<b>0114 2668664</b>
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <b>probson@john-gaunt.co.uk</b>	

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. 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.
  8. 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'.
  9. 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.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

*Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).*

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK {please see note below about which sections of the passport to copy}.
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card Issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an Immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

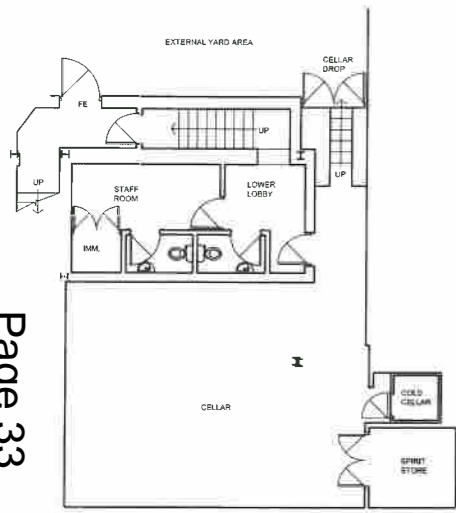
**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

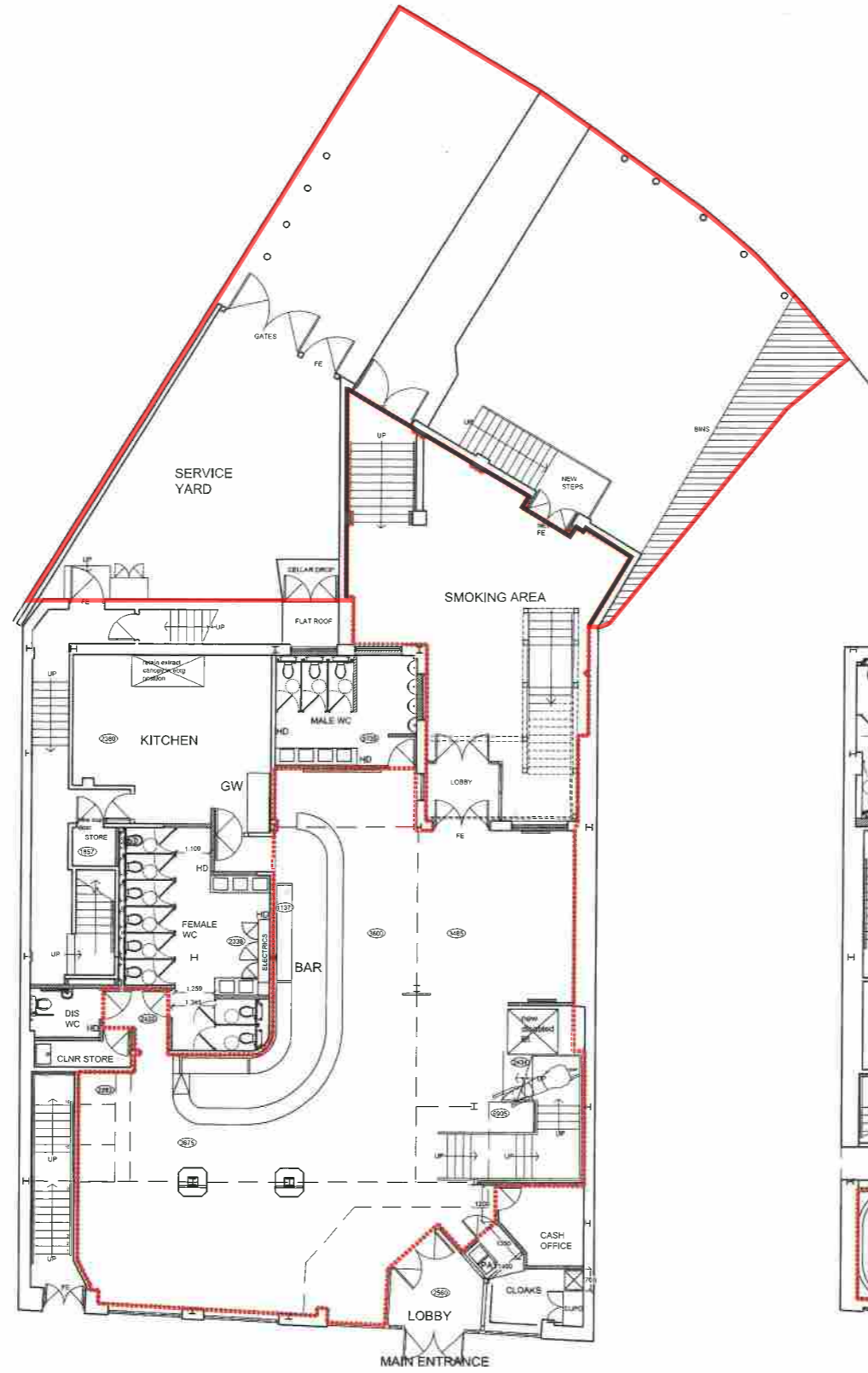
If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.





**BASEMENT PLAN**



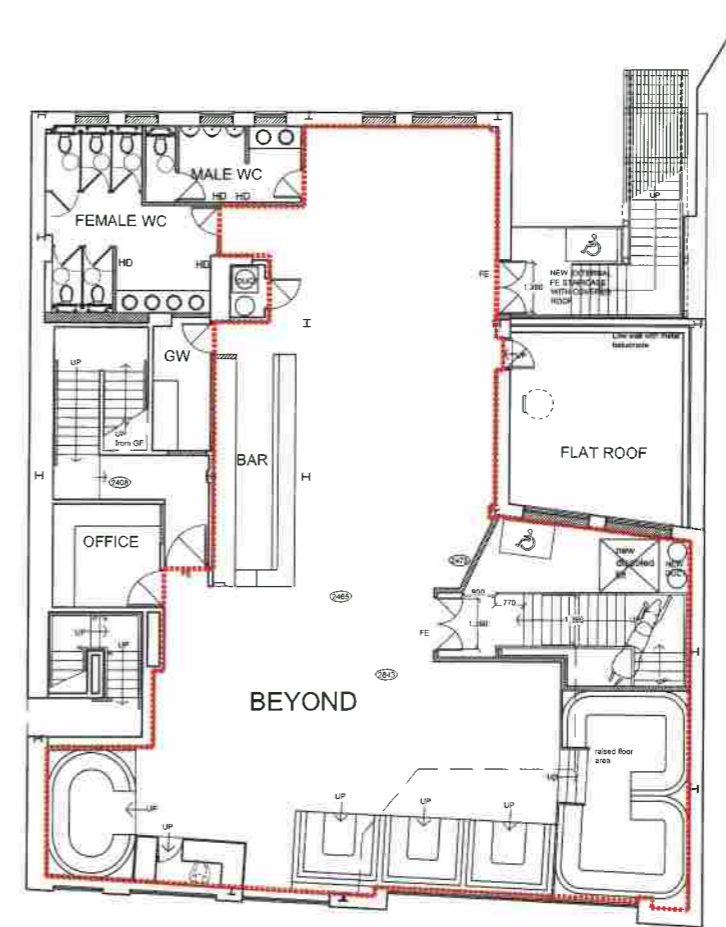
**GROUND FLOOR PLAN**

TOTAL GF: 148m<sup>2</sup> - Maximum Capacity - 323 persons

Standing at 2 persons per m<sup>2</sup> - 101m<sup>2</sup> - 202 persons  
 Seating at 1 person per m<sup>2</sup> - 10m<sup>2</sup> - 10 persons  
 Bar walk at 3 persons per m<sup>2</sup> - 37m<sup>2</sup> - 111 persons

**AREA TO BE USED FOR THE SALE OF ALCOHOL, THE PROVISION OF HOT FOOD AND DRINK AFTER 11pm AND THE PROVISION OF REGULATED ENTERTAINMENT.**

**TOTAL GROUND FLOOR AND FIRST FLOOR**  
 333m<sup>2</sup> - 665 persons



**FIRST FLOOR PLAN**

TOTAL FF: 183m<sup>2</sup> - Maximum Capacity - 342 persons

Standing at 2 persons per m<sup>2</sup> - 120m<sup>2</sup> - 240 persons  
 Seating at 1 person per m<sup>2</sup> - 45m<sup>2</sup> - 45 persons  
 Bar walk at 3 persons per m<sup>2</sup> - 19m<sup>2</sup> - 57 persons

- NOTES:
- All drawings to be read in conjunction with Structural Engineer's details & any relevant sub-contractor's details. All works to comply with current Building Regulations, British Standards & Codes of Practice.
  - All dimensions to be checked on site prior to any works commence.
  - Contractor to ensure that all work meets the requirements of the EHO, Building Control, Fire Authority and all other statutory bodies.

REV	BY	DATE	DESCRIPTION
E	AS	29.07.2016	Layout revised following site discussions & building regs officer comments.
D	AS	05.07.2016	Layout revised to suit latest client's comments. Capacity reduced.

**KEANE.**

CLIENT	Deltic Group
PROJECT	Bar & Beyond, Sheffield
BRG NAME	LICENSING - Proposed Plans
SCALE	1:100 @ A1
DATE	16.05.2016
JOB#	12607
DWG#	101E
STATUS	Construction

CONTACT  
 anna.sobolewska@keanebrands.com

Drawing issued on condition it is not copied in whole or part without consent. Figured dimensions take precedent over scaled. All dimensions to be checked on site prior to commencement of any work or shop drawings. To be read in conjunction with specification where relevant.

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## LICENSING ACT 2003

Application has been made by West Street Leisure Limited to the Licensing Authority of Sheffield City Council for a Premises Licence for 173-179 West Street, Sheffield, S1 4EW. The application includes the following terms:

1. To permit sale of alcohol (on/off sales), films, live and recorded music, performance of dance and late night refreshment 10.00 to 03.00 the following mornings Mondays to Sundays, with the premises closing to the public 30 minutes thereafter
2. To permit an additional hour for the above Fridays to Mondays at bank holiday weekends, Thursdays to Mondays at Easter bank holiday weekends and when British summertime commences. Further, to permit extended trading on New Year's Eve until the terminal hour for licensable activities on 2<sup>nd</sup> January.

Interested parties or responsible authorities may make written representations to The Licensing Service, Block C, Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD about this application by 01 November 2021. For information on representations, please see [www.sheffield.gov.uk/licensinginforesidents](http://www.sheffield.gov.uk/licensinginforesidents)

For full details and to view a copy of the application please contact the Licensing Service. Telephone: 0114 2734264 or by email to [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is unlimited.

Dated this: 04 October 2021  
John Gaunt & Partners, Solicitors

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Good morning

We act for West Street Leisure Limited and have today submitted a Premises Licence application to yourselves through the online GOV.UK website.

In order to assist, please find attached the relevant documents comprising:

- signed application form;
- drawing 101E, being the proposed licensing plan;
- copy public notice to be displayed at the premises; and
- proof of payment.

As the application explains, there is already a Premises Licence in place at this particular property with this application intending to secure a 'shadow' Premises Licence mirroring the terms/conditions of the current licence in force.

Should you have any queries or require further details/documents in support of the application, please contact our Patrick Robson.

Kind Regards

Patrick Robson

Partner

Sent by Elaine Ibbotson

[PRObson@john-gaunt.co.uk](mailto:PRObson@john-gaunt.co.uk) | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

T: 0114 266 8664 | M: 07841 451 440 | F: 0114 267 9613

Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FT

[Premises Licences](#) | [Personal Licences](#) | [DPS Changes](#) | [Temporary Event Notices](#)

[APLH Courses](#) | [Reviews](#) | [Due Diligence](#) | [Betting and Gaming](#) | [eLearningPlus](#)

For more details on our services please click on the links above.

Partners: Tim Shield (569713) | Michelle Hazlewood (569714)

Christopher Grunert | Jon Wallsgrove | Patrick Robson

Practice Manager: Jonathan Pupius

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Our Privacy Notice can be viewed here: <https://www.john-gaunt.co.uk/data-privacy-notice>

# Licensing Act 2003 Premises Licence

Issue No: 3

## SY002865 PR

### LOCAL AUTHORITY



#### Licensing Service

#### Place Portfolio

Block C Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD

Tel: 0114 2734264

Taxi Enquiries: [taxilicensing@sheffield.gov.uk](mailto:taxilicensing@sheffield.gov.uk)

General Licensing: [licensing@sheffield.gov.uk](mailto: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:

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Olivias

173-179 West Street, Sheffield, S1 4EW.

Telephone 0114 2759756

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
B. Exhibition of films (Indoors)			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am

Non Standard Timings:

Non standard timings -

- New Year's Eve 10:00 - 03:00
- An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend
- An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.

At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour

# Licensing Act 2003

## Premises Licence

Issue No: 3

# SY002865 PR

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
<b>E. Performance of live music (Indoors)</b>			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am
	Non Standard Timings:	Non standard timings - <ul style="list-style-type: none"><li>• New Year's Eve 10:00 - 03:00</li><li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend</li><li>• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.</li></ul> At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour	
<b>F. Playing of recorded music (Indoors)</b>			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am
	Non Standard Timings:	Non standard timings - <ul style="list-style-type: none"><li>• New Year's Eve 10:00 - 03:00</li><li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend</li><li>• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.</li><li>• At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour</li></ul>	
<b>G. Performance of dance (Indoors)</b>			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am
	Non Standard Timings:	Non standard timings - <ul style="list-style-type: none"><li>• New Year's Eve 10:00 - 03:00</li><li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend</li><li>• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.</li></ul> At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour	
<b>I. Late night refreshment (Indoors &amp; Outdoors)</b>			
	Sunday	11:00pm	3:00am
	Monday	11:00pm	3:00am
	Tuesday	11:00pm	3:00am
	Wednesday	11:00pm	3:00am
	Thursday	11:00pm	3:00am
	Friday	11:00pm	3:00am





# Licensing Act 2003

## Premises Licence

Issue No: 3

# SY002865 PR

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
I. Late night refreshment (Indoors & Outdoors) continued ...			
	Saturday	11:00pm	3:00am
	Non Standard Timings:		
	Non standard timings -		
	• New Year's Eve 10:00 - 03:00		
	• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend		
	• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.		
	At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour		
J. Supply of alcohol for consumption ON and OFF the premises			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am
	Non Standard Timings:		
	Non standard timings -		
	• New Year's Eve 10:00 - 03:00		
	• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend		
	• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.		
	At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour		

Day	Time From	Time To
Sunday	10:00am	3:30am
Monday	10:00am	3:30am
Tuesday	10:00am	3:30am
Wednesday	10:00am	3:30am
Thursday	10:00am	3:30am
Friday	10:00am	3:30am
Saturday	10:00am	3:30am

#### 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

Innvest Leisure (Sheff BO) Limited

2nd Floor, Alderman Fenwick House, 98-100 Pilgrim Street, Newcastle, NE1 6SQ.



# Licensing Act 2003 Premises Licence

Issue No: 3

## SY002865 PR

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Innvest Leisure (Sheff BO) Limited

12707233

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Jessica PROBERT

14 Otley Close, Conisbrough, Doncaster, DN12 2DG.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No: LN/201800040

Issued by: Doncaster

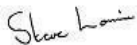
Restricted

LICENCE DATES

Licence first effective date: 14 April, 2021

This Premises Licence shall be in force from: 18 June, 2021

Issue date of this licence: 11 August, 2021



Steve Lonnia.....

Head of Licensing Services

On behalf of Sheffield City Council (Issuing Licensing Authority)



# Licensing Act 2003 Premises Licence

Issue No: 3

# SY002865 PR



**ANNEXES****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.

**ANNEXES continued ...**

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 sub-paragraph 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



**ANNEXES** continued ...

customer is made aware that these measures are available.

### **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

1. The premises will operate a 'Challenge 25' Policy.
2. Acceptable identification for the purposes of age verification include a driving licence, passport or photographic identification bearing the "PASS" logo and the person's date of birth, military identification or other internationally recognised photographic ID documents.
3. Challenge 25 poster shall be clearly displayed in a prominent position at the entry to the premises.
4. Customers will not be permitted to enter or leave the premises carrying open bottles or drinking vessels other than coming to and from areas within the control of the licence holder.
5. A CCTV system shall be installed and maintained to the satisfaction of the South Yorkshire Police, which shall include cameras recording footage of evidential quality covering main public access, including all entrance and exit doors. Footage shall be retained from all cameras for a minimum of 31 days. At least one trained member of staff will be available at all times the premises is open for licensable activities to operate the CCTV system. Footage shall be made available to for viewing by police upon request and recordings of footage will be provided, in a form agreed with South Yorkshire Police.
6. Notices stating that CCTV is in operation 24 hours a day will be displayed in the venue.
7. The Manager, DPS or other representative will attend and participate in Pub/Town watch where such a scheme is in existence.
8. All door supervisors exercising security activities will wear identifiable clothing and be licensed by the Security Industry Authority. Door Supervisors exercising their security functions outside the premises will wear a high visibility vest, jacket or identification arm-band.
9. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or a member of Police Staff.
10. The incident book will record the following:
  - All crimes reported to the venue
  - All ejections of patrons
  - All complaint received in relation to crime or licensing matters
  - Any incidents of disorder
  - The seizure of drugs and offensive weapons
  - Any faults on the CCTV system and steps taken to rectify the faultAny visits by a relevant authority or emergency service
11. A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment.
12. There shall be no transportation of hot food using the main public staircase between the ground floor and first floor.
13. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the external areas is managed so as not to cause a nuisance to occupiers of nearby residential properties.
14. Clear signage shall be erected and maintained in each section of the external areas advising customers to use the facilities in a quiet and orderly fashion and to respect the local neighbour's needs.
15. No speakers shall be operated in any external area of the premises unless the maximum operational noise level has been set and agreed in advance with Sheffield City Council's Environmental Protection Service. No external speakers shall be used after 22:00 hours on any day.





### ANNEXES continued ...

15. No Speakers shall be operated in any external area of the premises unless the maximum operational noise level has been set and agreed in advance with Sheffield City Council's Environmental Protection Service. No external speakers shall be used after 23:00 hours in any day. replacing above
16. All doors forming part of any acoustic lobby shall be kept closed save for access and egress (or in case of emergency), and shall not be propped open at any time.
17. No amplified sound shall be played except through an in-house amplified sound system fitted with a sound limiting facility of limiting the sound level of the system to a pre-set level which may then be secured in a tamperproof manner.
18. All external doors and windows will be closed from 23:00 hours on any day except for the purposes of access, egress or in the event of an emergency.
19. All ventilation outlets which serve the licensed area are to be acoustically baffled and thereafter retained.
20. Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quietly.
21. Unaccompanied persons under the age of 18 shall not be allowed entry to the premises except for events specifically organised for the under 18s market.
22. When holding events solely aimed at the youth market (under 18s):
- No alcohol is to be visible, sold or made available on the premises
  - Teen events will be non-smoking events
  - Cigarettes will not be permitted into, or sold during the event.
  - No adult entertainment will be provided at any time a person under 18 is on the premises
  - AWP machines will be covered, unplugged and prevented from being used.
  - Any youth found to have consumed any alcoholic beverage prior to entry will be given care and assistance with contacting family and arranging transportation, but will be refused entry to the event.
  - Any youth found to have consumed alcohol preceding the event, after being permitted entry, will be given care and assistance with contacting family and arranging transportation, but will be required to leave with appropriate care and support.

### ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

### ANNEX 4 - Plans

173-179 West Street  
16-03-21  
First Floor Plan

173-179 West Street  
16-03-21  
Ground Floor Plan

173-179 West Street  
16-03-21  
Basement Plan



## LOCAL AUTHORITY

### Licensing Service

#### Place Portfolio

Block C Staniforth Road Depot

Staniforth Road

Sheffield

S9 3HD

Tel: 0114 2734264

Taxi Enquiries: [taxilicensing@sheffield.gov.uk](mailto:taxilicensing@sheffield.gov.uk)

General Licensing: [licensing@sheffield.gov.uk](mailto: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:

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Olivias

173-179 West Street, Sheffield, S1 4EW.

Telephone 0114 2759756

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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

B. Exhibition of films (Indoors)

	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am

Non Standard Timings:

Non standard timings -

- New Year's Eve 10:00 - 03:00
- An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend
- An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.

At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour



**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES** continued ...

Activity	Day	Time From	Time To
<b>E. Performance of live music (Indoors)</b>			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
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	Non Standard Timings:		
	Non standard timings -		
	<ul style="list-style-type: none"> <li>• New Year's Eve 10:00 - 03:00</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend</li> <li>• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.</li> </ul>		
	At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour		
<b>F. Playing of recorded music (Indoors)</b>			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
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	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am
	Non Standard Timings:		
	Non standard timings -		
	<ul style="list-style-type: none"> <li>• New Year's Eve 10:00 - 03:00</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend</li> <li>• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.</li> <li>• At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour</li> </ul>		
<b>G. Performance of dance (Indoors)</b>			
	Sunday	10:00am	3:00am
	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
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	Non Standard Timings:		
	Non standard timings -		
	<ul style="list-style-type: none"> <li>• New Year's Eve 10:00 - 03:00</li> <li>• An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend</li> <li>• An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.</li> </ul>		
	At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour		
<b>I. Late night refreshment (Indoors &amp; Outdoors)</b>			
	Sunday	11:00pm	3:00am
	Monday	11:00pm	3:00am
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	Thursday	11:00pm	3:00am
	Friday	11:00pm	3:00am
	Saturday	11:00pm	3:00am
	Non Standard Timings:		



**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES** continued ...

Activity	Day	Time From	Time To
----------	-----	-----------	---------

**I. Late night refreshment (Indoors & Outdoors)** continued ...

Non standard timings -

- New Year's Eve 10:00 - 03:00
- An additional hour into the morning every Friday, Saturday, Sunday and Monday of each Bank Holiday weekend
- An additional hour into the morning of every Thursday, Friday, Saturday, Sunday and Monday of Easter bank holiday weekend.

At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour

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

Day	Time From	Time To
Sunday	10:00am	3:00am
Monday	10:00am	3:00am
Tuesday	10:00am	3:00am
Wednesday	10:00am	3:00am
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Non standard timings -

- New Year's Eve 10:00 - 03:00
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At the start of British Summer Time the terminal hour for all licensable activities and the closing time shall be extended by one hour

Day	Time From	Time To
Sunday	10:00am	3:30am
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Friday	10:00am	3:30am
Saturday	10:00am	3:30am

**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

**Innvest Leisure (Sheff BO) Limited**

**2nd Floor, Alderman Fenwick House, 98-100 Pilgrim Street, Newcastle, NE1 6SQ.**

# Licensing Act 2003

Issue No: 3

## Premises Licence Summary SY002865 PR

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Invest Leisure (Sheff BO) Limited

12707233

### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jessica PROBERT

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Restricted

### LICENCE DATES

Licence first effective date: 14 April, 2021  
This premises licence shall be in force from 18 June, 2021  
Issued date of this licence: 11 August, 2021



.....  
Steve Lonnia  
Head of Licensing Services  
On behalf of Sheffield City Council (Issuing licensing authority)



Date: 01/11/21

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

## **Objection to licensing application 195412 Olivia's Townhouse – 173 – 179 West Street, Sheffield, S1 4EW**

I would like to object to the granting of a licence in the terms it has been applied for because it is highly likely to have an adverse effect on the promotion of the licensing objective “the prevention of public nuisance”.

I will outline my reasons below and will attach video and photographic evidence to support my objection.

The condition numbers have changed due to variations so I will include the full text to save any confusion. I am using condition numbers from the latest application.

**Conditions 16 & 18** are consistently being breached even after a visit from the licensing enforcement officers. Front and rear doors are propped open therefore there is considerable noise breakout of amplified music until 3 am which either prevents me from sleeping or wakes me from sleep.

16. All doors forming part of any acoustic lobby shall be kept closed save for access and egress (or in case of emergency), and shall not be propped open at any time.

18. All external doors and windows will be closed from 23:00 hours on any day except for the purposes of access, egress or in the event of an emergency.

Part of the problem is that the supplied plans clearly show the main entrance with doors opening outward when in reality they open inwards. The original planning application required an acoustic lobby but the plans supplied were wrong then and are still wrong. The premises should not be given a licence for regulated entertainment until the outside doors are changed to open outwards.

**Conditions 13 & 14** are being breached. There are no clear signs in the external area (Cond 14). The DPS is not taking a pro-active approach (Cond 13) to noise control because if I can hear the noise breakout of the internal sound system inside my apartment with doors and windows closed the DPS would also have heard even higher sound levels in the immediate external areas of the bar. In the height of summer the noise disturbance inside my apartment was even higher because I needed to leave the patio doors open due to high night time temperatures. Customers using the outside areas have also caused noise disturbance with prolonged shouting and screaming which I could hear in my apartment and prevented me from sleeping. See video evidence.

13. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the external areas is managed so as not to cause a nuisance to occupiers of nearby residential properties.

14. Clear signage shall be erected and maintained in each section of the external areas advising customers to use the facilities in a quiet and orderly fashion and to respect the local neighbour's needs.

**New Condition 15** – This condition has already been breached. There are now only 8 tables in situ and the other tables that have been removed have been replaced by wooden whiskey or beer barrels. The barrels encourage vertical drinking and therefore more noise disturbance from customers. This is clearly going to be more of an issue in the warmer summer months but this also coincides with my need to leave the patio doors open for ventilation. On 30<sup>th</sup> May my partner and I walked past the lower terrace area and noticed the sound level was high. The staff member did reduce the sound level but not long after we returned home the sound level of the external speakers were audible in our apartment. My partner went back to the Bloom Garden Terrace (Olivia’s lower terrace) and spoke to a female member of staff who refused to lower the music coming from the external speakers saying that she’d paid for a DJ. She refused to give her name.

15. The lower tier of the external area shall have 18 table in situ at all times and seating for 108 people. No speakers shall be operated in any external area of the premises unless the maximum operational noise level has been set and agreed in advance with Sheffield City Council’s Environmental Protection Service. No external speakers shall be used after 23:00 hours on any day.

I strongly object to any external speakers in the external area and would request that this condition is changed to “no external speakers shall be operated in any external area”. I would also suggest that vertical drinking is not allowed and customers in the external area should be seated at all times unless entering or exiting the area.

**Original Condition 17 – 14/04/21** – This condition was removed on 08/06/21

17. Use of lower rear terrace shall be managed such that access is restricted from 23:30 hours and the area closed to all customers, cleared and vacated by 00:00 hours midnight on all days.

This condition should be re-instated because in the summer months this area will be used until 3 am and with the current lack of control of customers by the DPS and other staff this would create an unacceptable noise disturbance for us and all residents of West One.

In 2019 planning for an external area was refused. I agree with the comments made below:

*The Local Planning Authority considers that the proposed development, which would result in a significant change to the operational style of the bar, would, without restriction, result in an unacceptable level of noise disturbance to the occupiers of adjacent residential property. As such the development is considered contrary to Policy S10(b) of the Unitary Development Plan and the requirements of the approved Interim Planning Guidance on Night Time Uses, as well as Paragraph 180 of the National Planning Policy Framework.*



## Opening Hours

I would also object to the opening time of 3 am.

The following is an excerpt from the UPD:

*Policy S10 (Conditions on Development in Shopping Areas), states that new development should not cause residents to suffer from unacceptable living conditions.*

The following is an excerpt from Interim Planning Guidance on Night Time Uses (NTU):

*Guideline 1 of the NTU guidance identifies specific areas in the city centre where there is a need to provide a greater level of protection against noise and disturbance and recommends that, in these controlled areas, a 0030 closing time will normally be applied for pubs and clubs (and takeaways). The later opening of restaurant/cafe uses is much less of an issue as they tend to have little impact on nearby residents. The two areas where opening hours are more vigorously controlled are the Heart of the City/Cathedral Quarter and the section of the Devonshire Quarter to the west of Fitzwilliam Street, including West One.*

Olivia's activities impact on all nearby residents whether they complain or not. From my recent experience of making complaints, it is not easy and requires a lot of time commitment which not all residents have. Therefore, the usual reason given by applicants when asking for approval of planning or licensing is that they are a responsible operator and they have not received any complaints. This could be true but in the case of Olivia's Townhouse they have received complaints but have not recorded them and since opening their bar have operated in an inconsiderate way towards local residents. They are an irresponsible licensee who are causing a public nuisance. I therefore suggest a 01:30 closing time which would bring Olivia's in line with most of the other bars in this area.

Regards

### **Mark Booth**

404 West One Tower  
7 Cavendish Street  
Sheffield  
S3 7SH

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-----Original Message-----

From: Mark Booth

Sent: 14 May 2022 18:04

To: Gareth Barrett <Gareth.Barrett@sheffield.gov.uk>; Jayne Gough (CEX) <Jayne.Gough@sheffield.gov.uk>; Jonathan Round <Jonathan.Round@sheffield.gov.uk>; SCCRAG Peter <peter@querynet.com>

Subject: Olivia's music in outdoor area at back of premises

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Gareth

Olivia's have had excessively high music volume for the last 3 hours. It's coming from the outside speakers and there are about 50 customers in the garden area. The outside doors to the garden area are propped open as is the door to the kitchens. I've recorded this from different locations including inside our apartment but the files might be too large to send over email. Could you call me if you are working tonight? My number is 07971 096142.

If I can't send the videos do you have Drive, OneDrive or Dropbox because I can upload them there and share them with you.

I've checked and they don't have a TEN for today.

Can you visit them tonight please?

Regards

Mark Booth

Sent from my iPhone

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From: Mark Booth

Sent: 11 May 2022 20:45

To: Peter Sephton <peter@querynet.com>

Cc: Jayne Gough (CEX) <Jayne.Gough@sheffield.gov.uk>; Gareth Barrett <Gareth.Barrett@sheffield.gov.uk>; Patrick Robson <PRobson@john-gaunt.co.uk>

Subject: Re: \*\*URGENT - RE: Olivia's Townhouse -Objection to licensing application 195412

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Hi

It's a while since I looked at my objection but I would like to point out a few things that are still outstanding:

Olivia's are still breaking the licensing conditions every week:

The doors to West Street are still being propped open inwards and therefore breaking the condition stating that they should be closed except for entering or leaving. The doors have not had handles fitted to the outside so it would be difficult to open them from outside on west street. The handles are currently still fitted on the inside.

The area outside has been changed and now the weather is getting warmer they are starting to let customers use the area again. On the May Day bank holiday they had music playing that was far too loud. This was during the afternoon. I'd like to know what limit EPS have agreed to inside and outside. I checked and they didn't have a TEN for that day.

The staff are still not being proactive in controlling noise from customers leaving. I know that this isn't straightforward because people can be just outside their area of responsibility but the impact on us is the same. This is the only bar/club that is open at 3am within close proximity to West One so their customers have a high contribution to the noise on the street at that time - mainly Friday & Saturday.

The owner it seems wants to work with residents to limit disturbances but I don't think the staff actually working there have any intention of changing their poor management of the premises.

I feel that they have ignored your requests to follow the licensing conditions and would request that you enforce them more vigorously and let me know if you can give them a deadline for complying to the conditions that they are consistently breaking.

Regards

Mark Booth

Sent from my iPhone

On 11 May 2022, at 17:34, Peter Sephton <peter@querynet.com> wrote:

Apologies Jayne for not responding to your previous email, which headed into the wrong folder due to the vagaries of Microsoft.

If EPS has confirmed that the sound attenuation has been carried out to its satisfaction, our objection will be withdrawn and we'll monitor the impact of the changes.

Best regards

Peter

P J Sephton

Chair of ChangingSheff

[www.ChangingSheff.org](http://www.ChangingSheff.org)

From: Jayne Gough (CEX) [mailto:Jayne.Gough@sheffield.gov.uk]

Sent: 11 May 2022 16:09

To: Mark Booth; peter Sephton (SCCRAG)

Cc: Gareth Barrett; Patrick Robson

Subject: \*\*URGENT - RE: Olivia's Townhouse -Objection to licensing application 195412

Good Morning Mr Booth and Mr Sephton,

Further to my email below dated 21st April 2022, I am politely requesting a response in regards to the objections which you submitted for the Olivia's "shadow licence" application.

I am mindful that the necessary sound attenuation works have now been completed to the satisfaction of the Environmental Protection Service and Mr Round has subsequently withdrawn his objection to the application.

As this is a “shadow licence” application and mirrors the licence that is already in force and continues to be used, there is no immediate implication with the granting of this licence.

I am now in a position to formulate a Licensing Sub-Committee hearing if your objections are maintained.

Please advise at your earliest convenience of your wishes – as I do not wish to carry out this activity if it is no longer required.

Mr Sephton – Following on from yesterday’s hearing, please be advised that your objection cannot be in reference to a cumulative impact concern as was highlighted in the hearing, and that it must be directly related to the maintenance of the Licensing objectives with the relevant evidence.

I look forward to hearing from you both.

Kindest regards

Jayne

Jayne Gough

Licensing Strategy and Policy Officer & Health and Wellbeing Lead

Licensing Service

Streetscene & Regulation

Sheffield City Council

Block C Staniforth Road Depot,

Staniforth Road

Sheffield

S9 3HD

Tel: 0114 205 6225

Email: [Jayne.gough@sheffield.gov.uk](mailto:Jayne.gough@sheffield.gov.uk)

From: Jayne Gough (CEX)

Sent: 21 April 2022 13:12

To: Mark Booth peter Sephton (SCCRAG) Patrick Robson <PRobson@john-gaunt.co.uk>

Cc: Jonathan Round <Jonathan.Round@sheffield.gov.uk>; Gareth Barrett <Gareth.Barrett@sheffield.gov.uk>

Subject: RE: Olivia's Townhouse -Objection to licensing application 195412

Good Afternoon All,

Please accept my apologies for the delay in my response, I have been on Annual leave and returned earlier this week.

Following on from Jon's email below, I have noted the withdrawal on file.

The determination of this application was deferred to allow time for the necessary works to be completed. As this has been done and Jon has formally withdrawn his objection, I am in a position to need to formally determine the application.

Mr Booth and Mr Sephton, please can you advise of how you wish to proceed in regards to your objections at your earliest convenience? It is important to note that this application is for a duplicate "shadow licence" which mirrors the one which is already in place and active, and that it has been submitted in the event of anything happening to the current licence and it falling away – therefore safeguarding the licensing of the premises.

I will need to get this into a hearing as soon as possible given the time that has already elapsed, so I will ,look forward to hearing from you.

Kindest regards

Jayne



Jayne Gough  
Licensing Strategy and Policy Officer & Health and Wellbeing Lead  
Licensing Service  
Streetscene & Regulation  
Sheffield City Council

Block C Staniforth Road Depot,  
Staniforth Road  
Sheffield  
S9 3HD  
Tel: 0114 205 6225  
Email: Jayne.gough@sheffield.gov.uk

From: Jonathan Round <Jonathan.Round@sheffield.gov.uk>

Sent: 08 April 2022 16:59

To: Mark Booth <licensing@sheffield.gov.uk>; Gareth Barrett <Gareth.Barrett@sheffield.gov.uk>; Jayne Gough (CEX) <Jayne.Gough@sheffield.gov.uk>

Subject: RE: Olivia's Townhouse -Objection to licensing application 195412

Hello Mark,

I hope you are well.

I spoke to Gareth last week about the above premises and the licensing application which was in for a 'shadow' licence for the premises. I made a representation that the current layout of the premises in particular the front doors were not shown on the plan as they actually were. I also flagged up that there were complaints about the operation of the rear area.

The front doors have now been amended so they are in compliance with the plans. The rear area hasn't been witnessed as causing a problem in the recent past by enforcement officers out in the late evening and so I'm going to withdraw my previous representation to the application for the shadow licence for Olivia's. I suspect that Gareth or a colleague will be in touch about your outstanding objection as the application will need to be determined.

You/ Maxine also made a complaint about noise from the outside areas at West One and Night Time Enforcement Team officers made a series of visits and didn't witness any issues, I'm therefore going to close those complaints.

Obviously as the weather improves there is more likelihood of issues with outside areas. If you start to be regularly disturbed then you have my email, let me know and we can discuss how best to move the issue forwards. The NTET are now allowed to visit inside residential property again so if noise issues arise they should be able to visit you in the late evening and assess the situation from within your property.

Regards,

Jon.

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

Tel: 07887 641 266

From: Mark Booth

Sent: 01 November 2021 22:09

To: licensingservice <licensingservice@sheffield.gov.uk>; Gareth Barrett <Gareth.Barrett@sheffield.gov.uk>; Jonathan Round <Jonathan.Round@sheffield.gov.uk>; Jayne Gough (CEX) <Jayne.Gough@sheffield.gov.uk>

Subject: Olivia's Townhouse -Objection to licensing application 195412

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi

Please see attached objection on the grounds of "the prevention of public nuisance"

I've also attached a document with video & photo evidence

Regards

Mark Booth

This Email, and any attachments, may contain non-public information and is intended solely for the individual(s) to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Sheffield City Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail

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# Olivia's Townhouse

**173–179 West Street, Sheffield, S1 4EW**

Complaint:  
18/10/2021  
Mark Booth

Premises Licence Number: SY002865PR

# Olivia's Townhouse – Summary of Complaint

I have observed the activities of Olivia's Townhouse and gathered evidence over the last few weeks and it is very clear that they are consistently breaching conditions 13 & 16.

My partner and I complained to staff at Olivia's about noise from the lower terrace area but they refused to lower the volume of external speakers and didn't take our complaints seriously. This was on 30/05/21. My partner complained to Dan on 17/09/21 about noise disturbance from the bar and outside area. He wasn't co-operative at all and we have been disturbed by noise from either customers outside on the terrace or from noise breakout (amplified music) from the bar itself. This is preventing us from sleeping.

Olivia's are causing a public nuisance and it is having an unacceptable adverse impact on the amenity of our apartment and outside terrace. It is also causing loss of amenity to many other residents of West One who my partner has spoken to recently. I would like to request that the enforcement team visit Olivia's on a regular basis to enforce the conditions Olivia's are breaching.

# Olivia's Townhouse – Current Licensing Conditions

## **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

13. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the external areas is managed so as not to cause a nuisance to occupiers of nearby residential properties.
14. Clear signage shall be erected and maintained in each section of the external areas advising customers to use the facilities in a quiet and orderly fashion and to respect the local neighbour's needs.
15. No speakers shall be operated in any external area of the premises unless the maximum operational noise level has been set and agreed in advance with Sheffield City Council's Environmental Protection Service. No external speakers shall be used after 22:00 hours on any day.
16. All doors forming part of any acoustic lobby shall be kept closed save for access and egress (or in case of emergency), and shall not be propped open at any time.
17. Use of lower rear terrace shall be managed such that access is restricted from 23:30 hours and the area closed to all customers, cleared and vacated by 00:00 hours midnight on all days.
18. No amplified sound shall be played except through an in-house amplified sound system fitted with a sound limiting facility of limiting the sound level of the system to a pre-set level which may then be secured in a tamperproof manner.
19. All external doors and windows will be closed from 23:00 hours on any day except for the purposes of access, egress or in the event of an emergency.
20. All ventilation outlets which serve the licensed area are to be acoustically baffled and thereafter retained.
21. Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quietly.

# Olivia's Townhouse – Objections – 08/06/2021

Jayne Gough

The below statement was correct. The lower terrace was used a lot throughout the summer with no attempt by staff to manage noise control to limit nuisance to us and other residents nearby.

## Prevention of Public Nuisance

During the last 2 weekends the bar has been trading outside on this site as per the proposed licensed plan. They have been using the site until at least midnight. Noise levels have been particularly high. The residents of West One and 3 Fitzwilliam Street have had to close all their windows and doors to limit the noise pollution in their homes. We know this has come from this bar. Without walls and with such a vast space, without even playing music the noise has been considerable. At 10pm the other bars such as forum and west one close, and this was the only bar which has remained open and the residents have been disturbed by the noise levels coming from the beer garden.

A number of years ago planning permission was obtained for the site. The initial plan was the same/similar to this licensing plan. There were objections from the council themselves. At appeal it was approved based on a reduced area to reduce noise as well as putting physical walls in place. This would help with the noise, number of people, as well as the security of the site. They also were granted trading outside until 10pm.



# Olivia's Townhouse – Objections – 08/06/2021

Jonathan Round

The below conditions were removed. I believe both of these conditions should be reinstated

The premises are located in close proximity to residential accommodation. I am therefore concerned that nearby residents could potentially be affected by excessive noise disturbance from the increased use of the outside area both in terms of the increased number of customers and the later hours of use, and noise including amplified sound and noise from more people outside the venue later than under current arrangements.

Condition 17 helps to control and limit the duration of the noise from people in the outside area, it also aids in dispersing patrons. I will have to object the removal of condition 17.

Condition 15 Controls the potential for amplified sound to affect nearby residents and the locality. The 22:00hrs curfew on amplified sound removes the potential for music spilling off site in the late evening and causing a problem, and also means that customers don't have to raise their voices to be heard over the music. In addition the 22:00hrs curfew on amplified sound at this premises was confirmed at planning appeal in October 2019 when redevelopment of the outside area was being considered. I will therefore have to object to the amendment of condition 15.

# Olivia's townhouse – Video and Photographic Evidence

The following video and images were taken over a 3 week period and show several breaches of Olivia's licensing conditions. All videos included are unlisted.

# Olivia's Townhouse - Bloom garden terrace

Olivia's rear  
exit doors  
open. Noise  
from amplified  
music

Branch of  
condition 16



Sunday: 19/09/21 Time: 01:02

# Olivia's Townhouse - Bloom garden terrace

Customers in  
lower terrace.  
Noise breakout  
from amplified  
music  
Noise from  
patrons  
No door  
supervisors or  
other staff  
checking  
outside areas  
Breach of  
condition 13,16



Sunday: 19/09/21 Time: 23:43

# Olivia's Townhouse - Bloom garden terrace

Olivia's rear exit doors open. Noise from amplified music.

Branch of  
condition 16



Sunday: 03/10/21 Time: 00:39

# Olivia's Townhouse

Olivia's rear exit doors and front doors open.

Noise from amplified music.

Lyrics to Alicia Keys – New York, audible in my apartment.

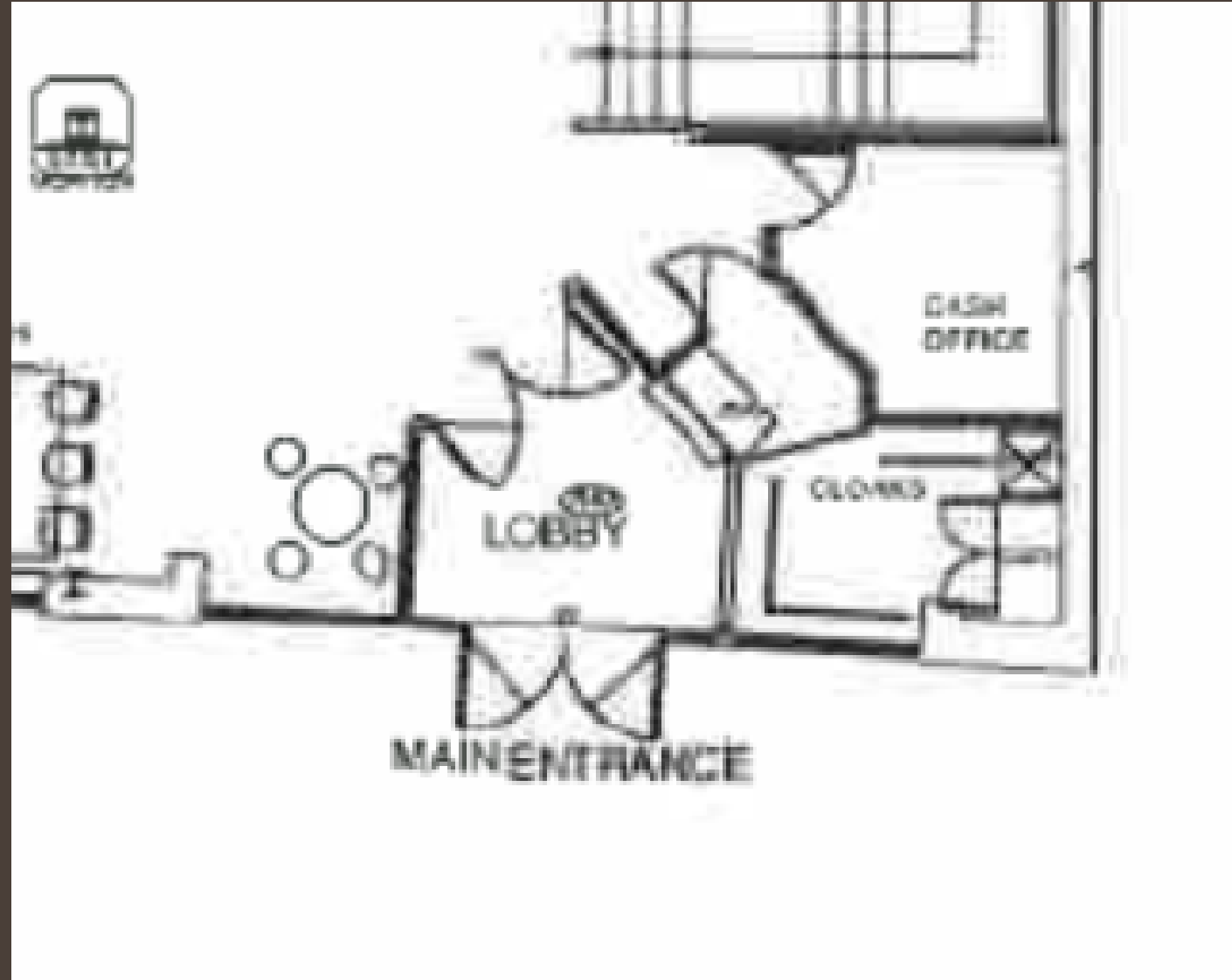
Breach of condition 16



Sunday: 03/10/21 Time: 00:55

# Olivia's Townhouse – Main Entrance - Front Doors

Olivia's Plans showing front doors opening outwards



# Olivia's Townhouse – Main Entrance - Front Doors

## The Building

### Regulations 2010:

2019 edition

incorporating 2020

amendments – for use in

England

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## Fire safety

### Volume 2: Buildings

other than dwellings

### Requirement B1:

Means of warning and

escape

## Doors on escape routes

### Direction of opening

**5.11** The door of any doorway or exit should be hung to open in the direction of escape whenever reasonably practicable. It should **always** be hung to open in the **direction of escape** if either of the following conditions applies:

- a. More than **60 people** might be expected to use it during a fire.

Could you confirm the actual capacity for Olivia's and why there is a discrepancy between the plans for the main doors and the direction of opening of the actual doors?



# Olivia's Townhouse – Main Entrance - Front Doors

Olivia's showing front outer doors of acoustic lobby – doors open inwards not outwards as shown in slide 11

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# Olivia's Townhouse – Main Entrance - Front Doors

Olivia's showing front outer doors of acoustic lobby – doors pinned open inwards.

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1  
Breach of condition

Possible breach of planning conditions and fire safety requirement B1: 5.11



Sunday: 03/10/21 Time: 00:47

# Olivia's Townhouse - Bloom garden terrace

Olivia's lower terrace. Noise from customers shouting.

No door supervisors or other staff (DPS) checking outside areas  
Breach of condition 13, 16



Sunday: 19/09/21 Time: 23:42

# Olivia's Townhouse – Rear Exit Doors - Plans

Olivia's Plans showing rear exit doors opening outwards

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# Olivia's Townhouse - Bloom garden terrace

Olivia's rear exit door  
pinned open.

Breach of condition 16



# Olivia's Townhouse - Bloom garden terrace

Olivia's rear exit doors pinned open. Breakout noise from amplified music.

Customers standing outside drinking. No door supervisors or other staff (DPS) checking outside areas

Breach of condition 13 & 16



Sunday: 03/10/21 Time: 00:39

# Olivia's Townhouse - Bloom garden terrace

Olivia's rear exit doors pinned open. Breakout noise from amplified music.

Customers standing outside drinking. No door supervisors or other staff (DPS) checking outside areas

Breach of condition 13 & 16



Saturday: 09/10/21 Time: 21:39

# Olivia's Townhouse - Bloom garden terrace

Olivia's rear exit door  
open to staff area.  
Breakout noise from  
amplified music.

Beach of condition 16

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Saturday: 09/10/21 Time: 21:42



# Olivia's Townhouse - Bloom garden terrace

Olivia's – Bloom  
Garden Terrace

Original layout:  
All tables for seating  
only.

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Monday: 07/06/21 Time: 18:09

# Olivia's Townhouse - Bloom garden terrace

Olivia's – Bloom  
Garden Terrace:

New layout:

Most tables removed  
and replaced with  
barrels encouraging  
vertical drinking and  
increase in customer  
noise in external area



Thursday: 23/09/21 Time: 10:16

# Olivia's Townhouse - Bloom garden terrace

Olivia's – Bloom  
Garden Terrace:

Rear exit doors open  
Shows barrels in upper  
and lower terrace

Possible blockage of  
fire escape route from  
upper floor



Thursday: 07/10/21 Time: 18:32

# Olivia's Townhouse - Bloom garden terrace

Olivia's – Bloom Garden Terrace:

Overall view of both upper and lower terrace showing fire escape route from upper to lower terrace.

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Upper part of image shows apartments above the Cavendish on West Street.



Tuesday: 05/10/21 Time: 13:34



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

West Street Leisure Limited  
c/o Patrick Robson – John Gaunt and Partners

Sent via email: [probson@john-gaunt.co.uk](mailto:probson@john-gaunt.co.uk)

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> October 2021 received an application in respect of the premises known as;

**Olivia's, 173-179 West Street, Sheffield, S1 4EW**

During the consultation period, the Council received a representation from the following interested party:

- **1 x Local Resident**

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

The Council now **GIVES YOU NOTICE** that the representation will be considered at a hearing to be held **At Sheffield Town Hall on Monday 30<sup>th</sup> May 2022 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 20<sup>th</sup> May 2022

Signed: Jayne Gough

The officer appointed for this purpose  
Licensing Strategy and Policy Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

## NOTES

### Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

### Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
  - (b) if given permission by the authority, question any other party; and
  - (c) address the authority

### Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

### Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
  - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

**Notice of actions following receipt of notice of hearing**

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

We West Street Leisure Limited, c/o Patrick Robson - John Gaunt & Partners

hereby confirm that we have received the Notice of Hearing dated 20<sup>th</sup> May 2022 and notify you as follows **(please complete)**:

**We intend to attend the hearing on Monday 30<sup>th</sup> May 2022 at 10.00am at Sheffield Town Hall.**

**We do not intend to attend the hearing.**

**We intend to be represented at the hearing by: .....**

**We consider the hearing to be unnecessary because: .....**

.....

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

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

**Please see Regulation 8 overleaf**

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

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

## Regulation 8

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

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

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

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

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



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

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

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

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

Mr Mark Booth  
Local Resident

Sent via email: [markbooth58@hotmail.com](mailto:markbooth58@hotmail.com)

The Sheffield City Council being the licensing authority, on the 4th October 2021 received an application in respect of the premises known as;

**Olivia's, 173-179 West Street, Sheffield, S1 4EW**

During the consultation period, the Council received a representation from the following interested party:

- **1 x Local Resident**

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

The Council now **GIVES YOU NOTICE** that the representation will be considered at a hearing to be held **at Sheffield Town Hall on Monday 30<sup>th</sup> May 2022 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representation 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 representation.

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

Dated: 20th May 2022

Signed: Jayne Gough

The officer appointed for this purpose  
Licensing Strategy and Policy Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

## NOTES

### Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

### Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
  - (b) if given permission by the authority, question any other party; and
  - (c) address the authority

### Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

### Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
  - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

**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 **Mr Mark Booth**

hereby confirm that I have received the Notice of Hearing dated 20th May 2022 and notify you as follows **(please complete)**:

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I do not intend to attend the hearing.

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