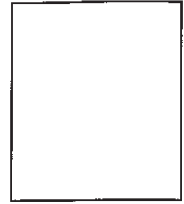




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 19th June 2014

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

West Street Off Licence, 147 West Street Sheffield. S1 4EW

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

Background Papers: Attached documents

Category of Report: OPEN

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

Ref No 54 / 14

West Street Off Licence 147 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 applicant is Mr Husnu Aslan.

2.2 The application, which was received on 30th April 2014, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following:-

8 No Public Objections Appendix 'B'

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

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

9.0 OPTIONS OPEN TO THE COMMITTEE

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



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

30th May 2014

Appendix A

The Application

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

(1) SHEFFIELD CITY COUNCIL

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(2) I/We HUSRU ASLAN

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

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description WEST STREET OFF LICENCE 147 WEST STREET	
Post town SHEFFIELD	Postcode S1 4EW

Telephone number at premises(if any)

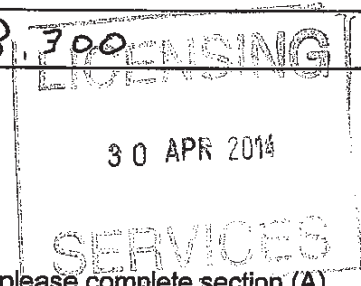
Non-domestic rateable value of premises

£ 8,300

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick ✓
- | | |
|---|---|
| a) an individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association; or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |



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

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick ✓ yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname First names

I am 18 years old or over Please tick ✓ yes

Current postal address if different from premises address

Post town Post code

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town Post code

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

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

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

Part 3 - Operating Schedule

When do you want the premises licences to start?

Day	Month	Year
29	05	2014

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

Day	Month	Year

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

SMALL OFF LICENCE.

N.B. THESE PREMISES OBTAINED A PREMISES LICENCE ON 26 MAY 2011 BUT THE LICENCE WAS 'SURRENDERED' IN A CIVIL DISPUTE. COURT ACTION HAS BEEN ON-GOING FOR SOME TIME RESULTING IN THE ENCLOSED APPLICATION. THE PLAN OF THE SHOP IS EXACTLY AS PREVIOUSLY SHOWN ON THE ABOVE DATE.

* PLEASE NOTE THERE IS VERY LIMITED ACCESS TO THE PREMISES AS SHOWN IN THE PLAN.

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

--

K

Provision of facilities for entertainment of a similar description to that falling within J or K			Please give a description of the type of entertainment facility you will be providing
Standard days and timings (please read guidance note 6)			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within j or k at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

L

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

M

Supply of alcohol			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	On the premises <input type="checkbox"/> Off the premises <input checked="" type="checkbox"/> Both <input type="checkbox"/>
Mon	0000	2400	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue	0600	2400	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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

Name **FARRETTIN ASLAN**
 Address **12 BRICHTMORRE DRIVE, SHEFFIELD**
 Post code **S3 7 NH**
 Personal Licence number (if known) **S4 2352 PRP**
 Issuing licensing authority (if known) **S.C.C.**

N

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 8)

NONE

O

Hours premises are open to the public			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	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 5)
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

Continued from previous page...

P

Section 21 of 22

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Staff to be fully aware of the Objectives and diligently adhere to the below mentioned steps :-

b) The prevention of crime and disorder

CCTV in accordance with Police requirements including retaining each day's images for at least 30 days and producing to Police or other Authorities when requested. Staff to be trained to retrieve images. Challenge 25 scheme with Notices displayed at entrance to shop and adjacent to till area. No persons to congregate inside or outside premises. Refusal Book to be kept and produced when requested by Authorities. Staff to be kept trained.

c) Public safety

Fire Risk assessment to be formulated. Health and Safety issues to be addressed. No persons to congregate inside or outside shop.

d) The prevention of public nuisance

No persons to congregate outside shop. At the end of each day's business the area directly outside shop to be cleared of litter.

e) The protection of children from harm

Challenge 25 scheme adopted with Notices displayed at entrance and in till area of shop. No children to congregate either inside or outside shop. The DPS to be responsible for any child issues. Staff to be kept trained regarding any such issues. Special attention by staff regarding 'Agent Sales'.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent you 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

* insert amount

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [⁵⁰⁰], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 - Signatures (please read guidance note 10)

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.

Signature  COLIN BELL

Date 28.04.14

Capacity AGENT

For joint applications signature of 2nd applicant, 2nd applicant's solicitor or other authorised agent.
(Please read guidance note 12)

If signing on behalf of the applicant please state in what capacity.

Signature _____

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

BELL DAVIES ASSOCIATES
18 LABURNUM CLOSE
CHAPELTOWN

Post town SHEFFIELD

Post code S75 1QU

Telephone number (if any) 0114 246 3003 M. 07748710141

~~If you would prefer us to correspond with you by e-mail your e-mail address (optional)~~

bellbird@hotmail.com

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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
6. 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.
7. 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'.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

I [full name of prospective premises supervisor]
FAHRETTIN ASLAN

of [home address of prospective premises supervisor]
12 RICHMOND DRIVE
SHEFFIELD S2 7 NH

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type of application] PREMISES LICENCE

by

[name of applicant] HUSNU ASLAN

relating to a premises licence

[number of existing licence, if any]

for

[name and address of premises to which the application relates]
WEST STREET OFF LICENCE
147 WEST STREET
SHEFFIELD S1 4EW

and any premises licence to be granted or varied in respect of this application made by

[name of applicant] HUSNU ASLAN

concerning the supply of alcohol at

[name and address of premises to which application relates]
WEST STREET OFF LICENCE
147 WEST STREET
SHEFFIELD S1 4EW

concerning the supply of alcohol at

[name and address of premises to which application relates]

WEST STREET OFF LICENCE
147 WEST STREET
SHEFFIELD

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

SY 2352 PRR

[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

S.C.E.

Signed

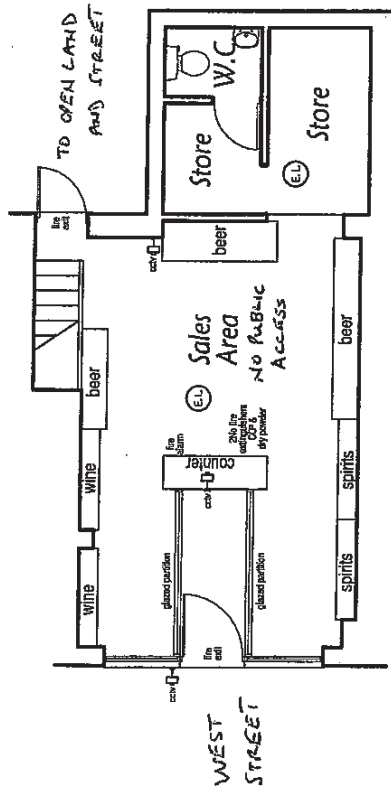


Name (please print)

FAKHROON PISKIN

Date

29.04.14

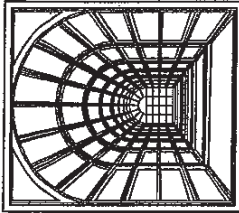


PROVISIONAL DRAWING

PROJECT: LICENSE DRAWING
ADDRESS: WEST STREET OFF LICENCE
 147 WEST STREET
 SHEFFIELD
CLIENT: MR. ASLAN

DRAWING No.:
 MS/LD/003

SCALE:
 1:100



Mark Smith - Architectural Design

32 Cambridge Crescent, East Dene,
 Rotherham, S65 2RB.

Telephone: 07720 525438

BELL DAVIES ASSOCIATES

FORM OF AUTHORITY

LICENSING ACT 2003 & GAMBLING ACT 2005

To HEWNA ABEL

Premises WKST STREET OFF LICENCE

..... 147 WKST STREET

..... SHEFFIELD S1 4EW

I/We hereby authorise:

**Colin Bell and/or Stuart Davies
Bell Davies Associates
18 Laburnum Close
Chapelton
Sheffield
S35 1QU**

to sign on my/our behalf as my/our agent all Applications and/or Variations under the Licensing Act 2003 and Gambling Act 2005 in respect of the above-mentioned premises.

All correspondence relating to the Applications/Variations should be sent to Bell Davies Associates at the address shown above.

Signed

Print full name

Signed 

Print full name Hewna Abel

Date 28.04.14

Appendix B

Objections – 8 No. Members of the Public

Stephenson Clive (CEX)

From: Imcooley [REDACTED]
Sent: 27 May 2014 18:50
To: licensingservice
Subject: Fwd: Objection to Off Licence at 147 West Street

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

Subject: Objection to Off Licence at 147 West Street
Date: 27.05.2014 18:41
From: Imcooley <[REDACTED]>
To: Jayne.Gough@sheffield.gov.uk
Cc: general.licensing@sheffield.gov.uk

From: Linda Cooley on behalf of the Sheffield City Centre Residents' Action Group

To: The City Council Licensing Committee:
Re: Application for an Off-Licence at 147 West Street

Our group would like to object to the proposal to convert the sandwich shop "Food to Go" into a 24-hour Off License.

The two licensing objectives "The prevention of crime and disorder" and "The prevention of public nuisance" could not be met if this application was granted. There is already a considerable problem on West Street caused by street drinkers who harass passers-by for money and disturb the peace by gathering in drunken groups who frequently, given their inebriated state, finish up having noisy disputes which disturb residents and business owners in the area. We have heard from the police that there has been an increase in recent months in the number of offences involving the street drinkers and it seems that a disproportionate amount of police time has to be allocated to dealing with complaints from the public about the aggressive behaviour of these people, many of whom are addicted to alcohol. Their present behaviour is fuelled by the availability of cheap alcohol from the existing 24-hour Off-Licences on West Street and the situation would only be exacerbated by granting this licence, as it is likely to lead to a price-cutting war and make the alcohol even more easily available. Many of the street drinkers are extremely vulnerable individuals and need help to change their way of life; giving them even greater access to cheap alcohol would be socially irresponsible.

If the Licensing Committee reject this application, this may establish a precedent that will deter other applications and prevent the area from deteriorating further, which is a step the Committee should be considering.

Linda Cooley
[REDACTED]
[REDACTED] Pinstone Street
Sheffield S1 2HZ

Crawshaw Michael (CEX)

From: Rhodes Emma (CEX) on behalf of licensingservice
Sent: 27 May 2014 16:33
To: Crawshaw Michael (CEX)
Subject: FW: 147 west street

From: Natalie Bryan [REDACTED]
Sent: 27 May 2014 16:22
To: Licensing(General)
Subject: 147 west street

Natalie Bryan

[REDACTED]
[REDACTED] fitzwilliam street
Sheffield
S1 4JP

I am writing to register my objection to the application for a premises licence by West Street Off Licence at 147 west street, Sheffield. The basis for this opposition is that granting a licence will not promote the licensing objectives particularly Public nuisance.

Granting a licence for another 24hour premises (there are already 2 on the same street) would provide a further source of alcohol within an area already so heavily populated with problem drinkers and antisocial behaviour.

Crime, disorder and nuisance are already intolerable. Community safety is an ongoing issue with the street drinkers urinating, swearing, fighting and hanging around licensed premises begging and intimidating people. This has been reported to the police on numerous occasions.

I do understand that it is difficult to achieve a balance when there are currently licensed premises in the area but the applicant has made it quite clear his intention is to provide 'cheap booze' to the problem drinkers and this will attract more of these people to west street and the surrounding area resulting in the current issues escalating further.

Children also congregate in this area (Devonshire green/quarter) they approach the public asking them to purchase alcohol for them this premises will proved further opportunity for them.

Not only as a small business owner but also as a local resident I have had to endure these problems for over 2years and it is at a point now were local residents are concerned the area will become a no go zone for a lot of people with the level of antisocial behaviour.

In view of the above, I would urge the Licensing Authority to refuse this application.

Natalie Bryan

Stephenson Clive (CEX)

From: Stevens, Anna [REDACTED]
Sent: 27 May 2014 12:55
To: licensingservice
Subject: FW: Re: Application for an off-licence at 147 West Street



From: Stevens, Anna
Sent: 27 May 2014 12:54
To: 'Jayne.Gough@sheffield.gov.uk'; 'general.licensing@sheffield.gov.uk'
Subject: Re: Application for an off-licence at 147 West Street

From: Anna Stevens, resident of West One Apartments, Fitzwilliam Street

To: the City Council Licensing Committee

Re: Application for an off-licence at 147 West Street

Dear Sir / Madam,

I am writing to object to the proposed off license at 147 West Street in Sheffield City Centre.

I believe yet another establishment selling cheap alcohol will have a further detrimental effect on vulnerable people in the area who drink on the streets. Such places take advantage of this and should have a responsibility not to fuel this problem.

As a resident and worker in the city centre I often come across street drinkers on West Street, Fitzwilliam Street and Devonshire Green. I consider this to be a residential area and the worsening problem of street drinkers/people spilling out of pubs and drinking late into the night is intimidating for residents and detrimental to the image of Sheffield City Centre.

Such drinkers can be aggressive and as a young woman I have often felt intimidated by people shouting/being aggressive and don't feel safe in the area at night. Furthermore I am frequently woken up in the small hours by drunk people shouting on Fitzwilliam street. There are several families with young children living in West One apartments and the local area is becoming less and less amenable for them, more cheap off-licenses can only exacerbate this.

I hope that you will take this into consideration.

Kind regards

Anna Stevens

[REDACTED] West One City

[REDACTED] Fitzwilliam Street

Sheffield

Subject: FW: Opposition to Off License at 147 West Street

From: Sara Shirvani [mailto:██]
Sent: 26 May 2014 21:15
To: licensingservice
Subject: Opposition to Off License at 147 West Street

Dear Sheffield City Council Members,

I am writing to oppose the application for the proposed 24 hour off-license at 147 West Street. I am a resident at Royal Plaza apartments and have been finding the increase in homeless and intoxicated individuals around the building very disturbing since the opening of Bargain Booze (the other 24 hour off-license). I feel that another 24 hour alcohol will contribute to this problem.

I moved into this building four years ago and did not find that there were up to 20 intoxicated individuals surrounding the building until Bargain Booze opened. Since then, these individuals have been harassing residents and leaving all sorts of waste. A 24 hour off license does not attract normal members of the public but rather people that cannot go without alcohol for 1-2 hours. These people like to group themselves together and make residents feel unsafe at all hours. I feel that another off-license will contribute to the already growing problem near Royal Plaza. I feel that 24 hour off-license establishments should not be located so close to a large residential area.

I hope you take my comments into consideration.

Sincerely,

Sara Shirvani
Resident of Royal Plaza Apartments

Subject: FW: Objection to Off Licence at 147 West Street

From: Peter Sephton [REDACTED]
Sent: 26 May 2014 21:24
To: Gough Jayne (CEX)
Cc: Licensing(General)
Subject: Objection to Off Licence at 147 West Street

From: Peter Sephton, on behalf of the Owners of Glossop Street Baths apartment owners.

To the City Council Licensing Committee:
Re: Application for an Off-Licence at 147 West Street – Quality of Life for City Centre Residents.

I am objecting on behalf of the 21 apartment owners in Glossop Road Baths at the proposal to convert the sandwich shop currently titled Food to Go into a 24-hour Off License.

Our apartments are less than 100 yards from this location. Already we suffer from drinkers on West Street who imbibe more alcohol than they can handle and proceed to urinate and vomit in the entrances to our building. There must be a sensible limit to the number of locations selling cheap alcohol in this area and in the view of our residents, the limit has already been passed.

The City Council has a policy of encouraging City Centre Living, as the creation of new homes in this area avoids destroying green field areas and is a positive way to provide more housing. Already there are 17,000 people living inside the Inner Ring Road and this number is projected to grow rapidly. These people deserve a reasonable quality of life and adding yet one more location for people who can't drink responsibly to buy more cheap alcohol would be an irresponsible act by the Licensing Committee.

The availability of cheap alcohol in this area draws many vulnerable people, who can become aggressive and threatening, which is intimidating to women and children. Our apartments contain families who find this behaviour in the vicinity very upsetting and totally unsuitable. By adding another outlet for cheap alcohol you would be increasing this problem.

We have been told at City Centre Residents meetings that South Yorkshire Police find it difficult to cope with the volume of incidents in the vicinity involving street drinkers. Business proprietors have also said that they struggle to cope with the aggressive intimidating harassment from street drinkers including theft, vomit and other human waste in their doorways.

On behalf of the 21 apartment owners in Glossop Road Baths I urge the Licensing Committee to reject this application, to maintain the quality of life for residents and avoid creating more social unrest in an area already saturated with alcohol suppliers.

P J Sephton
Chair of Glossop Road Baths Residents' Association,
[REDACTED] Convent Walk
Sheffield S3 7RW
Member of the Federation of Private Residents' Associations (FPRA)

Crawshaw Michael (CEX)

Subject: FW: Objection to West Street off licence

From: Steve Lee [REDACTED]
Sent: 26 May 2014 12:20
To: licensingservice
Subject: Objection to West Street off licence

Dear Sir / Madam

As a resident in the area with 2 young children I am writing to object to the proposed Off Licence at 147 West Street in Sheffield city centre.

There are already several off licences close by and the cheap alcohol sold in many of them is a magnet for street drinkers. These people are vulnerable and their desperation for alcohol can make them aggressive, intimidating and generally antisocial to residents, businesses and the general public.

South Yorkshire Police have told Sheffield City Centre Residents Action Group (SCCRAG) that they are already unable to cope with the volume of incidents in the vicinity involving street drinkers and many businesses in the area have told me they are at the end of their tether with aggressive intimidating harassment from street drinkers including theft, vomit and other human waste in their doorways.

This outlet will make this already problem area worse. Indeed the price war that will inevitably follow will draw problem drinkers in from other areas, making a vibrant part of the city centre a no go area for many, especially families and children.

Anyone familiar with the area and with any common sense can see that this application is madness and I urge for it to be refused.

Yours faithfully

Steve Lee
[REDACTED] Gell Street
Sheffield
S3 7QW

Crawshaw Michael (CEX)

Subject:

FW: Objection regarding West St Off licence - 147 West St Sheffield S1 4EW

From: Steve Hanstock [REDACTED]

Sent: 23 May 2014 15:33

To: licensingservice

Subject: Objection regarding West St Off licence - 147 West St Sheffield S1 4EW

Dear Sirs

I wish to object to the above application to reopen the above off-licence with a 24 hour licence to retail alcoholic drinks on the grounds of prevention of public nuisance, prevention of crime & disorder, public safety & protection of children from harm.

Our company provides a service for young people in the city, including some of the most vulnerable with the council's youth justice service & permanence & through care service being accommodated as partner organisations seeking to offer a one-stop shop approach to support for young people. This client group have been attending in various states of intoxication & it is clear that alcohol & other intoxicants are very readily available to them in this area of the city: having another outlet opening up is not going to ease the burden of the difficulties & challenges this presents.

We also suffer the impact of visits from street drinkers who by the middle of the day have reached a fair level of intoxication & yet still seem to find no difficulty purchasing alcohol from nearby outlets. We have to move them on from the perimeter of our property – mainly the rear where there is our car park & good delivery entrance. The drinkers frequently urinate on & around the basement door and around parked cars as well as gathering on our walls to sit & drink & eat & drink. It is far from pleasant having to ask them to move on and staff are potentially at risk of their unpredictable behaviours. This is occurring in broad day light. In deed earlier this week one of my colleagues left the building at the end of his working day & challenged one of the drinkers who was urinating against the rear door of the SYorks Probation Service HQ (our neighbouring building), on the basis that a female employee exiting our (or their) building may well be quite offended by the sight that would be presented by this act. He was surrounded very quickly by other drinkers who behaved belligerently towards him & he was spat upon & his car pushed aggressively. He was left feeling very angry & intimidated. In the morning our caretaker regularly arrives to have to disinfect area around the perimeter of our building that has been used as a public toilet & regularly picks up cans and spirit bottles left behind or smashed by drinkers in the area coming to the rear of our building – cctv shows this often to be to use it as a toilet or other offensive behaviour.

I made the SNT City Centre policing team aware of this event & others & they commented that they have already detected an upswing in public drunkenness & alcohol-related offences in this area of West Street & Division Street. They are also going to try to increase foot patrols to visit the area & to ask the council cctv team to direct the Rockingham St camera towards Division Lane as well as monitoring Rockingham Street itself

Overall we do not feel it would be a good thing for a 24 hour off-licence to be allowed to function in the neighbourhood when there are arguably too many already.

Yours faithfully

Steve Hanstock

Steve Hanstock | Premises and Health & Safety Manager

Sheffield Futures | *helping young people and adults to achieve their full potential in learning, employment and life.*

[REDACTED] Sheffield S1 4GE

Finch Shimla (CEX)

From: Bobby Basu [REDACTED]
Sent: 22 May 2014 17:55
To: Licensing(General)
Subject: 147 West Street

Dear Licensing Section

I would like to oppose the application from Husnu Aslan and Mustafa Aytakin about turning the above premises into a 24 hour off license on the following grounds:

Firstly there is already currently an off-licence, Bargain Booze, which attracts vagrants and homeless alcoholics.

The frontage of it is a health hazard in the mornings, as it is full of litter including beer empties.

If this licence is granted then I am afraid it will encourage drunken, anti-social behaviour as well as littering and human soiling, not to mention an area for the vagrant population to congregate.

This premises is already directly next door to a congregation point where homeless alcoholics come (the steps to the rear of Jocosa/Melt Bar and the steps outside Tesco on the corner of Eldon street.

This area is a recent development and is regularly attracting drunken people who swear and intimidate pedestrians.

If an all night drinking facility is put there then it will just encourage and facilitate this behaviour.

Also this premises is within 30 seconds walk of the local soup kitchen. An institution that is there to help vulnerable people of whom the majority do have substance/alcohol misuse issues. To put a 24 hour off license next to this is further temptation to these people.

In addition, I am a local resident at the Royal Plaza building. Proposed opening until for 24 hours is going to mean revellers arriving after bars have closed with a likely increase in noise and disturbance to local residents who have to get up in the morning.

It is more than likely to encourage street drinking, increase in crime and disorder and public nuisance.

A similar license application was turned down in May 2011 and I have no reason to see why it would be granted now.

Finally, I find the note regarding the application on the building frontage quite threatening. It is from Bell and Associates. It basically infers that there can be up to a £5000 fine for anyone whose opposition to this application is deemed to be false.

My opposition is not false and don't like the threat that comes with the mandatory notice of application.

Please can you email me if you want me to send this to you in a paper format.
I noticed that your website is currently not working for this facility.

Yours sincerely

Appendix C

Hearing Notices / Regulations / Procedures



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

Hasnu Aslan
C/O Colin Bell & Stuart Davis
Bell Davies Associates
18 Laburnum Close
Sheffield
S35 1QU

The Sheffield City Council being the licensing authority, on the 30th April h 2014 received your application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

8 No. public representations / objections

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 19th June 2014 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 30th May 2014

Signed: _____ Clive Stephenson

The officer appointed for this purpose
Licensing Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD.

general.licensing@sheffield.gov.uk

LICENSING ACT 2003

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

Dr Bobby Basu
[REDACTED] Royal Plaza
[REDACTED] Westfield Terrace
Sheffield
S1 4G

[REDACTED]

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 19th June 2014 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.
General.licensing@sheffield.gov.uk

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

Mr Steve Hancock
Sheffield Futures
[REDACTED]
[REDACTED] Division Street
Sheffield
S1 4GE

[REDACTED]

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

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Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

Mr Steve Lee
Gell Street
Sheffield
S3 7QW

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

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Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.
General.licensing@sheffield.gov.uk

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

Ms Anna Stevens
West One City
Fitzwilliam Street
Sheffield

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

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Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.
General.licensing@sheffield.gov.uk

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

Ms Linda Cooley
[REDACTED]
Pinstone Street
Sheffield
S1 2HZ
[REDACTED]

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

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Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.
General.licensing@sheffield.gov.uk

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

Ms Natalie Bryan
[REDACTED]
Fitzwilliam Street
Sheffield
S1 4JP

[REDACTED]

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 19th June 2014 at 10am**; following which the Council will issue a notice of determination of the application.

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Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.
General.licensing@sheffield.gov.uk

LICENSING ACT 2003

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

Mr Peter Sephton
Owners Of Glossop Street Baths Apartments
█ Convent Walk
Sheffield
S3 7RW

█

The Sheffield City Council being the licensing authority, on the 30th April 2014 received an application in respect of the premises known as;

West Street Off Licence 147 West Street Sheffield.

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

- **8 No. objections / representations from members of the public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 19th June 2014 at 10am**; following which the Council will issue a notice of determination of the application.

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Dated: 30th May 2014

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.
General.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.

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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

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

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