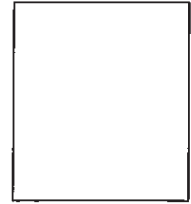




## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



---

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

---

**Date:** 1<sup>st</sup> September 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.

Walkley Beer Co 362 South Road Sheffield S6 3TF

---

**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 79 / 14**

**Walkley Beer Co 362 South Road Sheffield S6 3TF**

**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 Christopher Challis.
- 2.2 The application, which was received on 7<sup>th</sup> July 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:-
- 7 No Public Objections (petition) Appendix 'B'
- 3.2 Representations were made by Health Protection, and a suggested conditions were agreed prior to the hearing a copy of the correspondence is attached at Appendix 'C'
- 3.3 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 'D'

**4.0 FINANCIAL IMPLICATIONS**

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

**5.0 THE LEGAL POSITION**

- 5.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as:-
- a) the prevention of crime and disorder,
  - b) public safety,
  - c) the prevention of public nuisance,
  - d) the protection of children from harm.
- 5.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

## **6.0 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 'D'.
- 6.3 Attached at Appendix 'D' is the following: -
  - a) a copy of the Notice of Hearing;
  - b) the rights of a party provided in Regulations 15 and 16;
  - c) the consequences if a party does not attend or is not represented at the hearing
  - d) the procedure to be followed at the hearing.

## **7.0 APPEALS**

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

## **8.0 RECOMMENDATIONS**

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

## **9.0 OPTIONS OPEN TO THE COMMITTEE**

- 9.1 To 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

1<sup>st</sup> September 2014

# Appendix A

The Application



Sheffield  
Application for a premises licence  
Licensing Act 2003

For help contact  
general.licensing@sheffield.gov.uk  
Telephone: 0114 2734264/2734880

\* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.  
 Yes  No

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

* Building number or name	98
* Street	Townend Street
District	Crookes
* City or town	Sheffield
County or administrative area	South Yorkshire
* Postcode	S10 1NN
* Country	United Kingdom

**Section 2 of 19****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	362
Street	South Road
District	Walkley
City or town	Sheffield
County or administrative area	South Yorkshire
Postcode	S6 3TF
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	3,300

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- 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
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

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

**Section 4 of 19**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes
- No

A4

Continued from previous page...

**Applicant Postal Address**

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

362 South Road is a corner ground floor retail premises situated in Walkley. The flat above is under the control of the same landlord. The lease limits our opening until 11pm.



Continued from previous page...

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

Continued from previous page...

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes
- No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes
- No

Standard Days And Timings

MONDAY

Start 10:00

End 23:00

Start

End

TUESDAY

Start 10:00

End 23:00

Start

End

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

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.

Continued from previous page...

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

NONE. No gambling or quiz machines.

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises
- Off the premises
- Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for seasonal variations]

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

[Empty box for non standard timings]

Section 18 of 19

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.

APPENDIX 2

b) The prevention of crime and disorder

APPENDIX 3

c) Public safety

APPENDIX 4

Continued from previous page...

d) The prevention of public nuisance

APPENDIX 5

e) The protection of children from harm

APPENDIX 6

## Section 19 of 19

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

A11

Continued from previous page...

\* Fee amount (£)

100.00

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Christopher Luke Challis

\* Capacity

Owner

\* Date

07 / 07 / 2014  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

**APPENDIX 1**

## Type of Establishment

We propose to run the business as an off-licence and homebrew supply shop. The shop will be a destination for all things beer. A wide range of beer will be available to take home and will form a backdrop to the homebrew element of the business. On-sales will allow the consumer to experience beers while formulating recipes, choosing ingredients or commercial beer and generally enhancing the retail experience. A communal bench table will be the focal point of the operations. On-sales will also allow us to run tasting sessions for the benefit of customers and help create a modern and innovative retail experience. Bottles will have both a takeout price and a higher drink-in price to emphasize the retail nature of the business. The low square footage of the premises reduces its impact on the surrounding area and the earlier closing of on-sales (described in Appendix 2) minimizes the disruption.

We believe with the focus on bottled beer, take-home cask and homebrew supplies; a pub or bar style establishment is unsuitable for this purpose. This is why we propose to run the business as retail with ancillary on-sales.

The low square footage unfortunately makes it impossible to install a unisex disabled toilet. A unisex toilet is provided to customers and staff at the rear of the premises as described in the plan. As the primary usage of the premises is retail this does not prevent disabled customers from using it as such. Staff will be instructed in the best way to aid disabled customers and operate a bell system at the entrance to call for assistance.

We request the playing of low level background music around the serving area and at a level inaudible outside the premises. Music will be incidental and therefore not regulated entertainment.

The basement office / storage area will not be used for any licensable activity.

All licensable activity will take place in a single room which is easily supervised and monitored by staff.

**APPENDIX 2**

General – all four licensing objectives

On-sales will cease at 22.00hrs to minimize the impact on the surrounding area.

All staff shall be suitably trained for their job function in the operating standards for the premises. The training shall be under constant review.

All staff will be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable



activities and all conditions.

The training will be recorded in documentary form that will be available for inspection on at the time of a request by a member of any relevant authority. The records will be retained for at least 12months.

All staff shall be trained in the requirements of the Challenge 25 policies, the identification & recognition of drunks and the correct procedure to be followed when refusing service.

Training will be repeated at least every 4 months and will be recorded in documentary form that will be kept at the premises and be available for inspection at the time of request by a member of any relevant authority. The records will be retained for at least 12months.

An incident book shall be maintained to record any activity of a violent, criminal or anti social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The incident book will be available for inspection at the time of request by a member of any relevant authority. The records will be retained for at least 12months.

All staff shall be suitably trained in the operating procedures for refusing service to any person who is drunk or is under age or appears to be under age.

### **APPENDIX 3**

The prevention of crime and disorder

The collection of glasses and bottles will be undertaken at regular intervals to ensure there is no build up of empty receptacles in and around the premises. Any outside area within the control of the premises or occupied by patrons of the premises will be suitably managed and controlled and be the subject of regular glass/bottle collections.

Any person found using drugs on the premises will be reported to the Police and banned from the premises.

The Police will be called immediately if any member of staff believes someone is dealing drugs on the premises.

No customers will be permitted to leave the premises with open drinking containers.

### **APPENDIX 4**

Public safety

The DPS or their nominated representative will ensure the premises capacity is maintained and kept within safe guidelines; the maximum capacity shall not exceed that stated on the fire risk assessment.

We will regularly consult with the Fire Authority and other responsible Authorities and abide by their reasonable requests.

We will ensure that emergency exits and routes are unobstructed at all times when the premises are open to the public or being used for licensable

activities.

The premises will have policies in place to ensure that spillages and breakages will be dealt with promptly, all staff are trained and familiar in evacuation procedures and all safety equipment is maintained in good order.

#### **APPENDIX 5**

The prevention of public nuisance

Legible and clear notices requesting customers and staff leave the premises in an orderly and quiet manner.

The handling of casks, kegs, bottles, cleaning equipment, bottle disposal and similar items will not take place in the late evening or early morning when the noise generated could cause a nuisance particularly outside the buildings.

The delivery of goods is restricted to the normal working day.

Bottle skips and bins containing cans or bottles will not be emptied outside after 22.00hrs but will be dealt with the next day during normal office hours.

No car park facilities are provided so potential for rowdy car park behaviour is avoided.

#### **APPENDIX 6**

The protection of children from harm

No children under the age of 18 will enter the premises unless accompanied by an adult.

Soft drinks will always be available.

Full training is given to staff on commencement of employment on the law relating to all age restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.

Refresher training will be provided at regular intervals (minimum 6 monthly).

Records detailing the training provided will be kept on the premises for production, on request, to an officer of a Responsible Authority.

Records shall be retained on the premises for a minimum of two years.

A Challenge 25 proof of age scheme will be operated.

Anyone attempting to purchase alcohol that appears under the age of 25 will be asked for proof of age.

Acceptable forms of ID will be a PASS accredited proof of age card, photo driving licence or passport.

Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the Proof of Age scheme in operation and the restrictions of products will clearly be displayed at the point of sale.

A system of recording sales refused under proof of age scheme will be operated at all times.

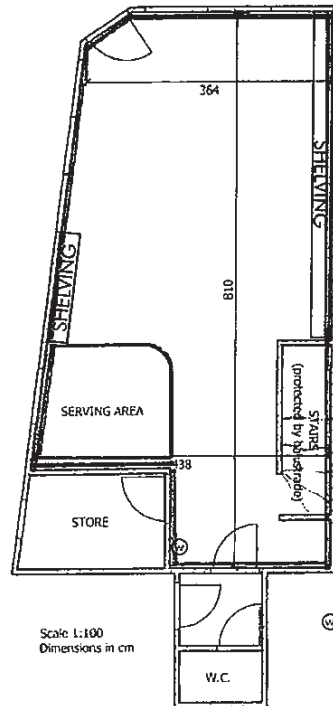
The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records will be retained for a minimum of 12 months.



SOUTH ROAD



FREEDOM ROAD



⊗ WATER EXTINGUISHER

Scale 1:100  
Dimensions in cm

WALKLEY BEER CO.  
362 South Road  
S6 3TF  
7 - 7 - 14

A16

### Consent of individual to being specified as premises supervisor

I

of

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

by

relating to a premises licence

for

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

concerning the supply of alcohol at

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.

A17

Personal licence number SY 5297 Per
Personal licence issuing authority Sheffield City Council Licensing Service Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD Telephone: 0114 2734264



Signed .....

Name CHRISTOPHER CHALLIS

Date 07/07/2014

# Appendix B

Petition - Objections – 7 No. Members of  
the Public

B1

① 63

R. Greaves  
Rear of 364 South Road  
Sheffield S6 3TF  
28-7-2014

Application for Alcohol & Entertainment Licence  
at 362 South Road Sheffield S6.3TF

Dear Sirs

I object to a alcohol and/or entertainment licence  
on the following grounds:-

The immediate position is a residential area.  
All the original shops have been converted wholly or partially  
into residential accomodation, either private or rented.

The properties are late Victorian terraces originally built to  
be used as a shop front with living accomodation to the  
rear of the ground floor and over the first and second  
floor. Some areas would be used for storage and stock.  
The supporting party walls are of standard two brick  
construction without a cavity with wooden floor joists  
sat on the same. In effect connecting the properties  
together.

On both sides voices generally talking can be heard through  
the walls. If voices are raised every word can be clearly  
heard.

When tables or chairs are pushed and pulled on the floor  
or people walking about the noise is transmitted to  
neighbouring properties through its connectivity.  
If at some later stage piped or live music, quiz nights or  
private parties take place the noise would be horrendous.

On the dates the shop has served alcohol consumed inside  
the above mentioned noises have been experienced until late  
evening.

The dates - June 20/21 June 27/28 July 4/5th  
July 11/12th

Noise in the street was also experienced and noise  
through the doorway & open windows. Consumers were  
stood on the pavement around the premises.

Although the properties were built to be used as shops, as  
such a shop is visited briefly while a purchase is  
made as opposed to a gathering of anything

② of 3

Re 362 South Road Sheffield S6 3TF

from 2 to 50 or more socialising with alcohol.

Furthermore the internal activities would not be privately enclosed due to large glass windows and a doorway that has no enclosed porch or secondary door to keep noise inside.

Generally a social events building would be detached and built with its activities in mind to strict building regulations concerning its use - having enclosed surrounding walls.

There is no overspill areas for smoking or drinking - only on-street to the front and side or to the rear where there is shared vehicular and pedestrian access that is used by five adjoining properties.

Any external mentioned activity would interfere with residents with noise and smoke drifting to first floor windows.

Since public houses have recently closed in the area there is less anti social behaviour or people loitering. The disturbances would be an infringement on residents and our right to a family life.

The building is not suitable for entertainment and the business is unsympathetic for its location.

I would like to point out that the notice for the licence was not displayed in a prominent position - as is required - but as far away from a prominent position as could be, being in the bottom of a side window as far away from the front of the shop as possible.

If we had seen the notice earlier there would have been more objecting signatures



3 of 3

Re 362 South Road Sheffield S6 3TF

We the undersigned object to this licence being granted

Richard Greenes *Richard Greenes* 364 South Road Sheffield S6 3TF

MARK WELLERS. *M. Wellers* 366 South Road.

MARTIN THOMAS *MT* 8 ELGIN STREET SIDING  
ROY WRAGG *R. Wragg* 156 FREEDOM RD S6 2XE

ROSIE O'NEILL *R. O'Neill* 366 South Road

Thomas Bello *T. Bello* 366 South Road  
C Thompson *C. Thompson* 364 South Road  
Chiropract - business

LICENSING  
- 1 AUG 2014  
SERVICES

# Appendix C

Agreed conditions – Health Protection

**From:** Pitts Steven  
**Sent:** 24 July 2014 15:39  
**To:** 'Kit Challis'  
**Cc:** licensingservice; Crawshaw Michael (CEX); Lobo Rose  
**Subject:** RE: WALKLEY BEER CO, 362 SOUTH ROAD, WALKLEY S6 serial no 520396

Dear Chris,

Thank you for confirming that you agree to the conditions that I have requested , I can now withdraw my representation in respect of the new premises licence application.

Regards,

Steve Pitts

**From:** Kit Challis [<mailto:kit@browncoat.co.uk>]  
**Sent:** 24 July 2014 11:30  
**To:** Lobo Rose  
**Cc:** Pitts Steven  
**Subject:** Re: WALKLEY BEER CO, 362 SOUTH ROAD, WALKLEY S6

Yes, I agree to the condition being imposed on the licence.

Thanks Steve for the meeting about this and the other matters mentioned in the letter - they will be dealt with before opening.

Many Thanks  
Christopher (Kit) Challis  
Walkley Beer Co.

On Thu, Jul 24, 2014 at 10:19 AM, Lobo Rose <[Rose.Lobo@sheffield.gov.uk](mailto:Rose.Lobo@sheffield.gov.uk)> wrote:

Dear Sirs

Please see attached letter which I am sending on behalf of Steve Pitts.

I have also sent the letter out by post today.

Yours faithfully

**Business Strategy & Regulation**

Director of Business Strategy & Regulation: Mick Crofts

**Health Protection Service**

2-10 Carbrook Hall Road • Sheffield • S9 2DB

Fax No. (0114) 273 6464

 **Sheffield**  
City Council



Officer: Mr S Pitts

Tel: 0114 273 4616

Ref: WalkleyBC/rl

Date: 24 July 2014

Christopher Challis  
98 Townend Street  
Crookes  
Sheffield  
S10 1NN

Dear Sirs

**Licensing Act 2003**  
**Application for a Premises Licence**

**Premises: Walkley Beer Co, 362 South Road, Walkley, Sheffield S6 3TF**

I write with reference to the above application and would inform you that, at this stage, I have no alternative than to make a formal representation (objection) as the Responsible Authority towards public safety.

I will require the proposed condition set out below to be imposed on the new premises licence and my representation will be withdrawn subject to the condition being agreed.

1. The premises shall operate primarily as an off licence with ancillary on sales.

I would be grateful if you would confirm, as a matter of urgency, whether or not you are prepared to agree to this condition.

Other issues that require your attention that are not proposed to be conditions:

1. Anti-slip mat is required in the main entrance.
2. A satisfactory electrical certificate will be required for the premises.

Disabled Access

The City Council encourages the provision of disabled access and facilities to licensed premises within Sheffield and when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Disability Discrimination Act 1995 for people to access and use the building and its facilities.

---

Email Address: [HealthProtection@sheffield.gov.uk](mailto:HealthProtection@sheffield.gov.uk)

Visit us at: [www.sheffield.gov.uk/environment/how-we-work/health-protection/](http://www.sheffield.gov.uk/environment/how-we-work/health-protection/)

Large print versions of this letter  
are available by telephoning  
(0114) 273 4415/273 5774 **Page 32**

# Appendix D

Hearing Notices / Regulations / Procedures

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

DI

Mr Christopher Challis  
98 Townend Street  
Sheffield  
S10 1NN

[kit@browncoat.co.uk](mailto:kit@browncoat.co.uk)

The Sheffield City Council being the licensing authority, on the 7<sup>th</sup> July 2014 received your application in respect of the premises known as;

**Walkley Beer Co 362 South Road Sheffield S6 3TF.**

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

7 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 **Monday 1<sup>st</sup> September 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: 5<sup>th</sup> August 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.

D2

LICENSING ACT 2003

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

Mr Richard Greaves  
Rear of 364 South Road  
Sheffield  
S6 3TF

The Sheffield City Council being the licensing authority, on the 7<sup>th</sup> July 2014 received an application in respect of the premises known as;

**Walkley Beer Co, 362 South Road Sheffield S6 3TF**

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

**A petition of 7 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 **Monday 1<sup>st</sup> 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: 5<sup>th</sup> August 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](mailto:General.licensing@sheffield.gov.uk)

D3

**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.



## Regulation 8

D4

- (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.

**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.