



## SHEFFIELD CITY COUNCIL Committee Report



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

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**Date:** Tuesday 26<sup>th</sup> January 2016 – 10am

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**Subject:** Licensing Act 2003  
Application for the review of a premises licence

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**Author of Report:** Georgina Hollis

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**Summary:** To consider an application for the review of a premises licence submitted by Sheffield Trading Standards.

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**Recommendations:** That members carefully consider the application for review along with any other representations made and take such steps that the Committee consider necessary for the promotion of the Licensing Objectives

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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**REPORT OF THE CHIEF LICENSING OFFICER,  
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE**

Ref No 05/16

**LICENSING ACT 2003**

**Review of Premises Licence**

**HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG**

**1.0 PURPOSE OF REPORT**

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG.

**2.0 THE APPLICATION**

- 2.1 The application is made by the Sheffield Trading Standards and was received by the Licensing Service on 4<sup>th</sup> December 2015.
- 2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-
- Prevention of Crime and Disorder
  - Public Safety
  - Protection of Children from harm.
- 2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

**3.0 REASONS FOR REFERRAL**

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.
- 3.2 The Licensing Authority has, during the representation period received representations from the following:-
- |    |   |              |
|----|---|--------------|
| a) | Sheffield Safeguarding Children's Board | Appendix 'B' |
| b) | South Yorkshire Police                  | Appendix 'B' |
| c) | 1 Local Resident                        | Appendix 'B' |
- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations 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 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

5.2 Section 52(4) states:

“The steps are –

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

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

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

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

“A determination under this section does not have effect –

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

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

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

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

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## **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; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

## **8.0 RECOMMENDATIONS**

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

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

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

*Steve Lonnia*

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

26<sup>th</sup> January 2016

# Appendix A

The Application / Current Premises Licence

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

GH road for  
Friday ~~11th~~ 4th December 2015.  
@ 9am from D'Palmer  
(T. Standerds)

(1)

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

(2) I/We David Palmer

apply for the review of a [premises licence under section 51]  
[club premises certificate under section 87] of the Licensing Act 2003 for the premises  
described in Part 1 below

**Part 1 - Premises details or club premises details**

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description	
HK Off Licence and Mini Market 66 Crookes	
Post town Sheffield	Post code S10 1UG
Telephone number (if any)	
Name of premises licence holder or club holding club premises certificate (if known)	
Srinivas Vangol	
Number of premises licence or club premises certificate (if known)	
SY 2228 PR	

**Part 2 - Applicant details**

I am

Please tick ✓ yes

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

Delete any words in square brackets which do not apply

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

Please tick ✓ yes



2) a responsible authority (please complete section (C) below )

3) a member of the club to which this application relates (please complete section (A) below)

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

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current address

Post town

Post code

Daytime contact telephone number

E-mail address  
(optional)

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

Name and address

Post town

Post code

Telephone number (if any)

E-mail address  
(optional)

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Name and address	
Sheffield City Council Trading Standards(Weights & Measures Authority) 2-10 Carbrook Hall Road	
Please note new address from 14/12 Howden House, 1 Union Street, Sheffield, S1 2SH	
Post town Sheffield	Post code S9 2DB

Telephone number (if any)

E-mail address (optional)

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

Please tick one or more boxes

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

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

1. During July 2015, a 15 year old boy visited the store and he was able to purchase a bottle of Glen's vodka.
2. On 9<sup>th</sup> August 2015, the same boy returned to the store and he purchased a bottle of 40% ABV strength vodka.
3. On both occasions, the boy was served by the DPS and Premise Licence Holder, Mr Srinivas Vangol.
4. On both occasions Mr Vangol asked if the boy had identification to prove his age. The boy falsely stated that he was 18 years of age, but did not produce any proof of his age during either purchase.
5. On 9<sup>th</sup> August, the boy shared his vodka with his 16 year old friend, who, as a result of drinking the vodka, was admitted to hospital later that day.
6. Following a complaint from the 16 year old's parent, a joint agency visit to the store was made by Trading Standards, Police and Safeguarding Children Officers. It was found that there was failure to comply with various licence conditions.



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1. Mr Vangol voluntarily provided CCTV footage to Trading Standards which identifies the 9<sup>th</sup> August sale between himself and the 15 year old boy.
2. The boy's father strictly insists on anonymity for himself and his son. He has however, permitted his son to provide a detailed verbal statement to a Trading Standards Officer, who wrote down what the boy said, in the presence of his father.
3. In December 2014, a joint Trading Standards and Police operation took place in Sheffield, when all of the known sellers of Novel Psychoactive Substances (NPS), were visited. This included HK Off Licence. The traders were given verbal and written advice, pointing out that such products were likely to be dangerous and that their supply could be illegal under the General Product Safety Regulations 2005 and the Misuse of Drugs Act 1971.
4. On 16<sup>th</sup> February 2015, during the follow-up stage of the operation, HK Off Licence was visited by Trading Standards and Police Officers. A total of 20 bags of NPS were found behind the counter and in the pockets of Mr Vangol. These items were seized. There was a large quantity of "button bags" which are frequently used to deal in illicit drugs. Officers also discovered three bottles of Plymouth Gin which had no duty paid label displayed. These were also seized.
5. Mr Vangol received a warning letter regarding the seized NPS and on 22<sup>nd</sup> May 2015, he signed a simple caution in respect of the illicit gin. He also voluntarily forfeited the goods.
6. On 17 June 2013, Mr Vangol received a written warning about the possession for sale of two bottles of Glen's vodka, which were non-duty paid and which displayed counterfeit rear labels showing a false duty paid logo. These goods were found at a store at 160 Crookes, for which he was then DPS.
7. Srinvas Vangol is currently the Premise Licence Holder, Designated Premises Supervisor and sole proprietor of HK Off Licence and Mini Market. He is responsible for compliance with licensing objectives and licence conditions. He is also responsible for compliance with a wide range of Regulatory controls and the law in general. Based on the history of non-compliance listed above, the Trading Standards service does not feel that it is possible to engage successfully with Mr Vangol in the form of an action plan or by providing further advice. We feel that the nature of the breaches of objectives, conditions and criminal law were deliberate, as opposed to ignorance, lack of training or poor management systems. We therefore believe that Mr Vangol is not competent to remain the Licence Holder, nor DPS.

Please tick ✓ yes

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

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Day      Month      Year

If yes, please state the date of that application

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

Please tick ✓ yes

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

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**Part 5 - Signatures** (please read guidance note 3)

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

Signature *J. Adams*

Date *3/12/15*

Capacity *Senior Trading Standards Officer*

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
See section C above	
Post town	Post
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

**Notes for Guidance**

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



## THE LICENSING ACT 2003

**Premises Licence No: SY 2228 PR**

ISSUE NO:1

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

### **PART 1 – Premises details**

H K Off licence & Mini Market  
66 Crookes  
Sheffield  
S10 1UG

**Telephone Number:** 0114 267 0700

### **Where the licence is time limited, the dates:**

Not applicable.

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

#### **1. Sale by retail of alcohol:**

a) for consumption off the premises

Sunday	10:00 to 22:30 hours
Monday to Saturday	08:00 to 23:00 hours

### **The opening hours of the premises are:**

Sunday	10:00 to 22:30 hours
Monday to Saturday	08:00 to 23:00 hours

### **PLEASE NOTE:**

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

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

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

Sale by retail of alcohol for consumption off the premises.

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**PART 2**

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

Mr Srinivas Vangol  
71 West Street  
Eckington  
Sheffield  
S21 4GA

**Telephone Number:** 07988724000

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

Not Applicable

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

Mr Srinivas Vangol

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

**Personal Licence Number:** SY 4819 Per  
**Issuing Authority:** Sheffield City Council

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

Restricted

**This Premises Licence shall be in force from the 12<sup>th</sup> November 2013**

**Issued on: 12<sup>th</sup> November 2013**



.....  
**Steve Lonnia**  
**Chief Licensing Officer, Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

## **Annex 1A – Mandatory Conditions**

### **Mandatory Condition 1 (Section 19 ss 2)**

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

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

### **Mandatory Condition 2 (Section 19 ss 3)**

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

### **Mandatory Condition 3 (Section 20)**

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
  - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
  - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
  - “children” means persons aged under 18; and
  - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### **Mandatory Condition 4 (Section 21)**

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

## **Annex 1B - Mandatory Conditions effective from 6<sup>th</sup> April 2010:**

**These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.**

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

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

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

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

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

### **Annex 1C - Mandatory Conditions effective from 1st October 2010:**

**These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.**

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
 (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures.

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**Annex 2 – Conditions consistent with the operating schedule**

1. A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2012) . The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.
2. The premises will maintain a register of refusals and incidents. Such records will be kept and made available for inspection of the authorities.
3. The Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.
4. A satisfactory electrical certificate shall be provided for the premises on request by a Responsible Authority.
5. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.



# Appendix B

## Representations

- a) Sheffield Safeguarding Children's Board
- b) South Yorkshire Police
- c) 1 Local Resident

**Bower Claire**

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**From:** Hague Julie  
**Sent:** 15 December 2015 11:31  
**To:** licensingservice  
**Subject:** REPRESENTATION: APPLICATION TO REVIEW THE PREMISES LICENCE - HK OFF LICENCE & MINI MARKET, 66 CROOKES  
**Attachments:** DOC151215-15122015121422.pdf  
**Importance:** High

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For the attention of the Licensing Authority

This e'mailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by e'mail

Please be informed that I have made a representation on behalf of the Sheffield Safeguarding Children Board in relation to the above application. The representation is submitted to the Licensing Authority and is attached to this e'mail along with related correspondence for the consideration of the Licensing Sub Committee.

Thank you.

Julie Hague  
Licensing Project Manager, Sheffield Safeguarding Children Board Floor 3, Howden House, Union Street, Sheffield S1 2JQ  
0114 2736753  
07854 219682  
[julie.hague@sheffield.gov.uk](mailto:julie.hague@sheffield.gov.uk)



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Address correspondence to:

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

14.12.15

The Licensing Authority  
Town Hall  
Surrey Street  
Sheffield

Dear Sirs

**APPLICATION TO REVIEW THE PREMISES LICENCE: HK OFF LICENCE AND MINI MARKET, 66 CROOKES, SHEFFIELD S10 1UG**

I am writing to make a representation on behalf of the Safeguarding Children Board (SSCB) as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that the above premise has been evidenced to operate in an irresponsible and illegal way that has put children at risk and undermines the core objective for the protection of children from harm, under the Licensing Act 2003.

The evidence submitted by Sheffield City Council Trading Standards demonstrates that alcohol has been sold to children at the premises, resulting in significant harm. The Safeguarding Children Board is aware that in addition to this, the premises has a history of selling Novel Psychoactive Substances (NPS, also known as 'legal highs') and is concerned that despite the attempts made by various agencies, including the Safeguarding Children Board, to improve the operation, the licensee has failed to operate in a safe, responsible, or compliant way.

Due to the history of the premises, the Safeguarding Children Board responded to an application for a premises licence made by Mr Vangol in 2013 when advice was issued that specific measures should operate to prevent underage sales; an advice letter and leaflet were provided along with an offer of free training (the documents at appendix 1 refer). The training took place on 16.10.13 and was attended by some 34 staff working across the city in the licensed trade; unfortunately none of these staff were from HK Off Licence.

Concerns about the premises have persisted, particularly in relation to the sale of NPS and the risk to children. In light of the licence holder's failure to engage, I had cause to visit the premises in the company of Mr Ward of Trading Standards, on 1.4.14 and again on 21.10.14. These visits were to discuss reports that children were buying NPS from the shop. During the visit on 1.4.14 I advised Mr Vangol about the risk of selling dangerous substances such as

Continued .../

alcohol or NPS and I advised about the age verification system. I noted that the Challenge 25 scheme was in place and that the licence holder said he applied this scheme when selling alcohol and NPS. The licence holder stated during that visit that his policy was not to sell dangerous substances to children. I urged the licence holder to accept the free training that is available around safeguarding children and the risk of dangerous substances such as alcohol and NPS and advised him to contact me if he wished to take up the offer. I have not to date been contacted by Mr Vangol for any training. During the visit on 21.10.14, I reiterated the concerns relating to the sale of NPS to children and the licence holder expressed a view that it is the role of the parent to prevent their children from misusing substances. I advised the licence holder of his legal and social responsibilities to safeguard children and that a failure to meet the core objectives of the Licensing Act 2003 would result in a licence review. The licence holder repeated that he did not sell dangerous substances, including NPS and alcohol, to children.

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On 20.8.15 I attended the premises in response to a serious incident in which a young person was hospitalised on 9.8.15. PC Young (Police) and Mr Ward (Trading Standards) also attended. The purpose of the visit was to inspect the CCTV and age verification system. The licensee Mr Vangol was present and fully cooperative during the visit, providing access to CCTV and due diligence records. During the visit I observed gaps in the age verification scheme: there was inadequate signage (only one sign located on the door, no shelf signage) and there were no staff training records. The refusals log was maintained (last entry 28.7.15) however with the exception of one, all entries had been made by Mr Vangol. I discussed staff training and the age verification scheme with Mr Vangol, who confirmed that he has a casual member of staff working for him who is not a personal licence holder and has not received any formal training. As Mr Vangol had not met the criteria for a recognised proof of age scheme and in an attempt to engage Mr Vangol in the seriousness of the matter, a further offer of free training was made (appendix 2 refers). Unfortunately no-one from the premise responded or attended the training on 14.10.15.

On 19.10.15 I attended a meeting with a young person who had been involved in two incidents of underage sales. The meeting took place at the child's home in the presence of his parents and Mr Maher of Trading Standards. Mr Maher and I listened and made notes as the child disclosed information about underage purchasing incidents which had taken place on 26.7.15 and 9.8.15. The young person confirmed that he had purchased alcohol on both occasions from the shop and that on one occasion this had resulted in a young person being hospitalised after consuming the alcohol he had purchased. The boy confirmed that whilst he had been asked his age, he was not asked for proof of age/identification. It is expected by the SSCB and other responsible authorities that operators will ask for proof of age/ID, this is a vital part of the age verification process. It appears from the child's statement that the licence holder had doubt (and therefore asked the child his age) but instead of verifying what the child said, the licensee decided to make the sale.

Subsequently, on 30.11.15 a further incident was reported by South Yorkshire Police to the Safeguarding Children Board. The police had received a complaint from the mother of a 14 year old boy who, along with his 15 year old friend, had been hospitalised on 20.11.15 after consuming alcohol which they said they had purchased from HK Off Licence. The child's mother has confirmed that the boys had been able to purchase £50 worth of alcohol on 20.11.15, between 3.30 and 4pm at the shop. The child had disclosed that the boy buying the alcohol had done so before from this shop and was not asked for ID. The report stated that the children had managed to purchase a litre of Captain Morgan rum, half a bottle of vodka, 27 Desperados and some Special Brew on that date.

Continued .../

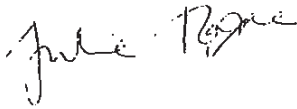
The impact of alcohol misuse and other drugs is well documented and the prevention of underage sales is a key objective of local and national alcohol strategies because underage drinking can significantly impact on a child's health and physical development, education, behaviour and personal safety.

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The Safeguarding Children Board takes a serious view of premises evidenced to be selling alcohol to children or otherwise putting children at risk. The SSCB routinely offers group and individual training sessions to people in the licensed trade to ensure they are fully aware of and able to manage the risks associated with alcohol and substance misuse. Despite repeated advice and training offers the licence holder has failed to change or improve the operation at the premises: In fact, an escalation of risk is evident.

In light of the above, the Safeguarding Children Board would ask the Licensing Sub Committee to take positive action to address the serious safeguarding concerns presenting at this premise.

Yours sincerely



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

Cc Licence Holder, Mr Vangol



Hyperlink (a)

(21)

8/10/13

Mr Srinivas Vangol  
66 Crookes  
Sheffield S10 1TG

Dear Mr Sriinivas

Address correspondence to:

Julie Hague  
Sheffield Safeguarding Children  
Board - Licensing Project  
Floor 2  
Redvers House  
Union Street  
Sheffield S1 2JQ  
Telephone: 0114 2736753  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

**APPLICATION FOR A PREMISES LICENCE: HK OFF LICENCE & MINI MARKET, 66 CROOKES, SHEFFIELD S10 1TG**

Thank you for providing a copy of the above application to the Sheffield Safeguarding Children Board, as the Responsible Authority for the Protection of Children from Harm under The Licensing Act 2003.

I note that if the licence is granted, the premises will operate as an off licence/convenience store and children will have access. In order to help you make sure the environment at the premises remains safe and family friendly, I have enclosed an information leaflet for off licences in Sheffield and recommend that you consider this and implement the safeguarding systems recommended in the leaflet.

Please note that there is free training available to people working in the licensed trade, if you wish you or yourself on to the training please don't hesitate to contact me. The next training takes place on 16.10.13 between 1.15pm and 5.15pm at The Stadia Technology Park, Shirland Lane, Attercliffe, Sheffield.

If you have any queries please don't hesitate to contact me.

Yours sincerely

  
**JULIE HAGUE**  
Licensing Project Manager



17/10/13  
22

30.9.13

Mr Srinivas Vangol  
47 Wolseley Road  
Sheffield  
S8 0ZT

Address correspondence to:

Julie Hague  
Sheffield Safeguarding Children Board  
- Licensing Project  
Floor 2  
Redvers House  
Union Street  
Sheffield S1 2JQ  
Telephone: 0114 2736753  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003  
OFFER OF FREE STAFF TRAINING: H K Off Licence & Mini Market, 160 Crookes,  
Sheffield, S10 1UH**

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for you/another responsible member of staff at the above premises. The workshop is free of charge and will take place as follows:

**Date: 16.10.13**

**Time: 1.15pm to 5.15pm**

**Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP**

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

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

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

CONTINUED .../

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

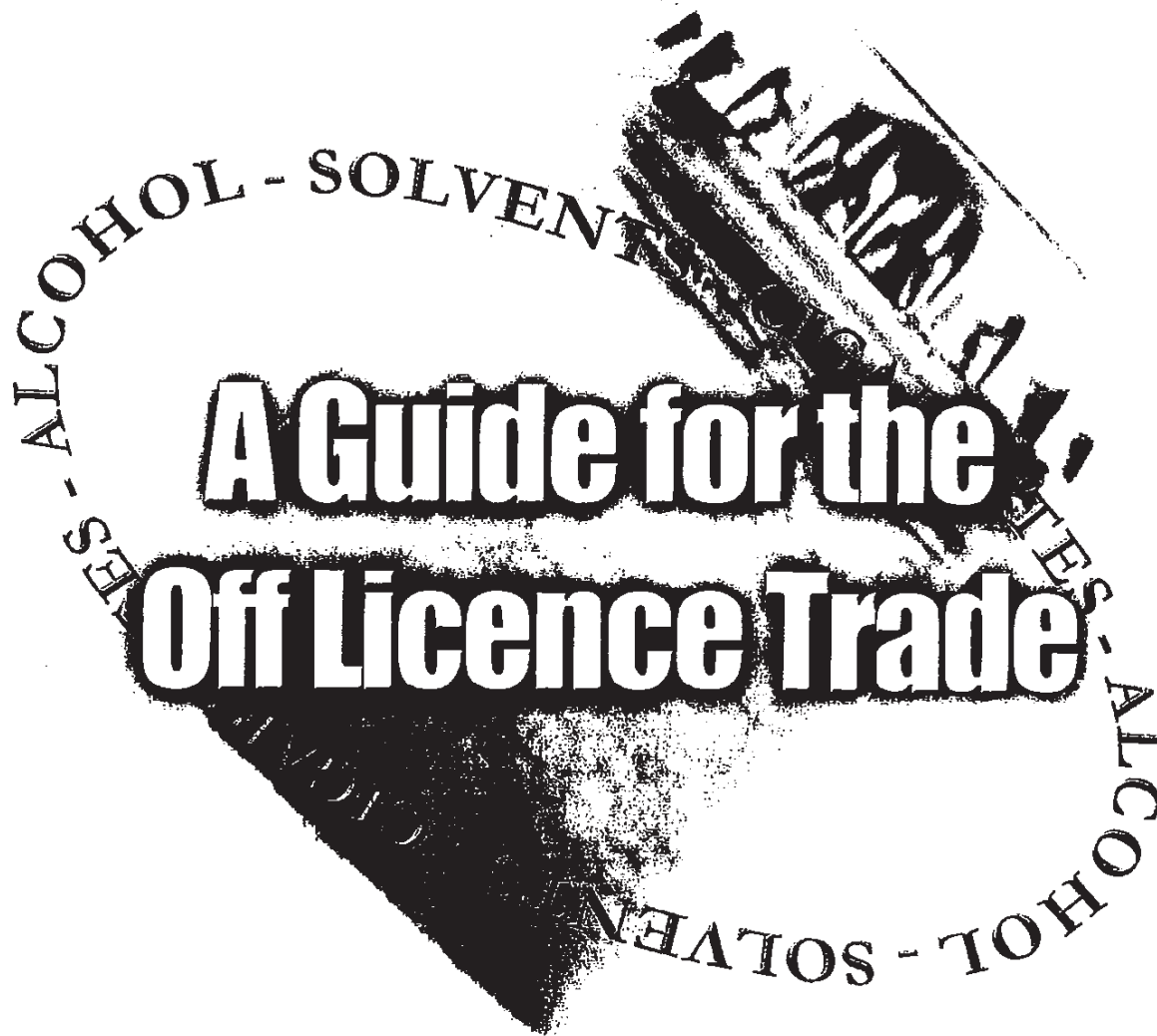
**To secure a place please contact me on (0114) 2736753 not later than 10 OCTOBER 2013 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.**

Yours sincerely

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



# SAFEGUARDING CHILDREN



rotherham  
safeguarding  
children board



Rotherham  
Where Everyone Matters

SUPPORTED BY SOUTH YORKSHIRE POLICE AND TRADING STANDARDS

Under the Licensing Act 2003 you and your staff have a legal responsibility to protect children at your premises. In the interests of child safety and to protect your business, it's important that you operate in a way that is safe and legal. Off licences attract young people for various reasons - they often meet outside the premises and research shows<sup>1</sup> that off licences are targeted by young people as places where alcohol can be easily obtained.

## What the risks to children are

- © Age restricted products <sup>2</sup> ~ this includes alcohol, solvents and cigarettes (tobacco can cause health risks and is often the **gateway drug** leading children into substance misuse). Children can be creative in their attempts to buy these products, eg persuade adults to purchase for them (**proxy purchase**) or they may try to make themselves appear older. If you operate a delivery service, they may use this to avoid proof of age checks.
- © Alcohol ~ when children drink they are vulnerable to physical, accidental and other types of harm. Their judgement is affected and they take risks such as drinking in dangerous places (parks, dark alleys), having unprotected sex or experiment with drugs, or they may get involved in fights, anti-social and criminal activity which will escalate if it is alcohol-fuelled. **Alcohol is addictive** and can cause health problems – there is no safe amount of alcohol

<sup>1</sup> Home Office Findings 277 2004 Offending, Crime and Justice Survey of 10 – 25 year olds. This Findings is specifically focused on results for those aged 10 to 17 years of age.

<sup>2</sup> Further information about age restricted products can be obtained from Consumer Direct 08454 040506

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for a child - even a small amount can be lethal, particularly if it's taken with other substances such as drugs or medication. It's impossible for you to know what effects alcohol might have if you supply it to a child. If you, or your staff supply children with alcohol you are putting them at risk of harm. Hospital services regularly respond to the needs of people in drink who are the victims of road accidents and physical attacks, including children.

IF A CHILD COMES  
TO HARM AFTER  
YOU SUPPLIED  
THEM WITH  
ALCOHOL YOU  
COULD BE  
ACCOUNTABLE



- © Groups of children can be intimidating for other customers. If they're allowed to meet outside the premises they may attract 'undesirable' adults, such as drug dealers and other types of criminals. This puts children and your business at risk.

REMEMBER, THEY  
MEET FOR A  
REASON AND IT'S  
NOT TO KEEP  
WARM!



## THE LAW

The authorities in South Yorkshire take a serious view of the sale of alcohol and other age restricted products, to children. Spot checks (test purchase operations) are regularly undertaken by the Police and Trading Standards officers to find out which premises are operating irresponsibly.

IF YOU FAIL A  
TEST PURCHASE  
OPERATION YOU  
AND YOUR STAFF  
WILL BE HIT WITH  
AN ON-THE-SPOT  
£80 FINE OR FACE  
OTHER LEGAL  
ACTION.



If your premises fail a test purchase operation the Designated Premises Supervisor must attend an interview with the authorities – even the if DPS did not make the sale.

Premises that do not operate responsibly and legally risk the licence being reviewed, suspended or even revoked. Remember – the DPS is ultimately responsible for ALL licensable activities at the premises.

## BEST PRACTICE

Because off licences vary in the style and character of their trade, it's important to do a risk assessment. This will help you to identify the potential risks at your premises and take the necessary steps to manage risk. Help and advice about risk assessment is available from the agencies listed at the back of this leaflet.

Here is a list<sup>3</sup> of safeguarding measures that should be operated at off licences to minimize risk to children:

- ⊙ Staff training about their responsibilities under the Licensing Act 2003 - make sure they are aware of the law; ensure they understand why age restricted products pose a risk to children. All staff should know how to say no to underage purchasers and be vigilant for proxy purchasing. Give all staff a copy of this leaflet.
- ⊙ Operate till prompts to ensure staff check for proof of age
- ⊙ Maintain a refusals book
- ⊙ Rigorously operate the Challenge 21 proof of age scheme
- ⊙ Only accept legitimate proof of ID (passport/driving licences or PASS accredited schemes)
- ⊙ Display signage throughout the store including point of sale to highlight your policy/proof of age scheme/ and the law
- ⊙ Join Licencewatch to keep you up to date with schemes and resources that may help you

<sup>3</sup> This list is not exhaustive

- ⊙ Display all age-restricted products in an area that is clearly visible to staff and ensure these areas are constantly monitored. The location of all age restricted products should be carefully considered to prevent easy access to children.
- ⊙ Assign a Lead Safeguarder for children's issues at the premises
- ⊙ Discourage inappropriate relationships between staff and young customers
- ⊙ Become a Responsible Retailer by joining the local scheme, if your local Trading Standards Department operates one in your area
- ⊙ Familiarize yourself with the local byelaws relating to the employment of children - there are special requirements for the employment of children under the age of 18 and age restricted products can only be sold by a person aged 16+ if the sale is directly supervised by an adult member of staff
- ⊙ Refuse to serve adults who are intoxicated – it's an offence to serve anyone who is drunk
- ⊙ Install CCTV inside and outside the premises
- ⊙ Discourage young people from meeting outside the premises - use security lighting in any dark corners and restrict access to outside sheltered areas.<sup>4</sup> There are security devices you can use to help you with this, or contact your local police.
- ⊙ Communicate in a way that is reasonable with children, use diffusing techniques if necessary to avoid confrontation. (There's an excellent

<sup>4</sup> Contact your Local Authority Planning Department and Fire Service for information about appropriate ways to restrict areas

advice leaflet about 'Saying No to Under Age Drinkers' produced by the Portman Group and available free of charge through Licencewatch membership)

- © Use colour-coded carrier bags or coded price stickers on the products you sell – this will help the police to detect which premises are selling alcohol to children
- © **ALWAYS TAKE ACTION IF YOU THINK A CHILD IS VULNERABLE** – For example, if you think that a child is intoxicated, in a dangerous situation, or if you suspect they're truanting you should contact your local police station or school immediately.

## USEFUL CONTACTS AND RESOURCES

If you have immediate concerns about children's safety and are not sure what to do you can ring:

South Yorkshire Police HQ (0114) 2202020

Or you can contact your local Social Care Services (Children & Young People's Service Access & Assessment Team) if your concerns are about a child's general welfare.

Advice and information can also be obtained from:

Licencewatch **(0114) 2758688**

Sheffield Safeguarding Children  
Board Licensing Project **(0114) 2736753**

South Yorkshire Police  
Liquor Licensing Dept **(0114) 2523617**

Consumer Direct **08454 040506**  
(to report the sale of age restricted products to children)

Brij Chaggar **(01709) 386200**  
Rotherham Chamber of Commerce

SHED Young People's Drug and  
Alcohol Service **(0114) 2729164**

Rotherham Safeguarding Children Unit **(01709) 382121**  
**ext. 2390**





28.8.15

Mr Srinivas Vangol  
71 West Street  
Eckington  
Sheffield  
S21 4GA

Address correspondence to:

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

Dear Sir

**THE PROTECTION OF CHILDREN FROM HARM: SAFEGUARDING TRAINING OFFER  
H K Off licence & Mini market, 66 Crookes, Sheffield, S10 1UG**

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

**Date: 14.10.15**

**Time: 1pm to 5pm**

**Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP**

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

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

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
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- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

CONTINUED .../

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

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**To secure a place please contact me on (0114) 2736753 not later than 1<sup>ST</sup> OCTOBER 2015 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.**

Yours sincerely

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



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Address correspondence to:

Julie Hague  
Sheffield Safeguarding Children  
Board - Licensing Project  
Floor 3  
Howden House  
Union Street  
Sheffield S1 2SH  
Telephone: 0114 2736763  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

14.12.15

Mr Srinivas Vangol  
HK Off Licence and Mini Market  
66 Crookes  
Sheffield S10 1TG

Dear Sir

**APPLICATION TO REVIEW THE PREMISES LICENCE: HK OFF LICENCE AND MINI MARKET, 66 CROOKES, SHEFFIELD S10 1UG**

I am writing to inform you that a representation has been submitted in response to the above application, by the Safeguarding Children Board (SSCB) as the Responsible Authority for the protection of children from harm under the Licensing Act 2003.

I attach for your information a copy of the representation.

Yours faithfully

A handwritten signature in black ink that reads "Julie Hague".

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

Cc Licensing Authority

**Hollis Georgina (CEX)**

---

**From:** Bower Claire on behalf of licensingservice  
**Sent:** 22 December 2015 14:57  
**To:** Hollis Georgina (CEX)  
**Subject:** FW: Application to review the premises licence: HK Off Licence, 66 Crookes  
**Attachments:** advice letter HK dec 2015.pdf; proxy\_purchase.pdf

**Importance:** High

**From:** Hague Julie  
**Sent:** 22 December 2015 14:49  
**To:** licensingservice  
**Subject:** Application to review the premises licence: HK Off Licence, 66 Crookes  
**Importance:** High

**For the attention of the Licensing Authority**

Further to the representation submitted by the Safeguarding Children Board in response to the above, could you please include for the attention of the Licensing Sub Committee, the attached letter and poster as I will be referring to these at the Hearing.

Many thanks

Julie

Julie Hague  
Licensing Project Manager, Sheffield Safeguarding Children Board  
Floor 3, Howden House, Union Street, Sheffield S1 2SH  
0114 2736753  
07854 219682  
[julie.hague@sheffield.gov.uk](mailto:julie.hague@sheffield.gov.uk)



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22.12.15

Mr Srinivas Vangol  
HK Off Licence and Mini Market  
66 Crookes  
Sheffield S10 1TG

Address correspondence to:

Julie Hague  
Sheffield Safeguarding Children Board  
Licensing Project  
Floor 3  
Howden House  
Union Street  
Sheffield S1 2JQ  
Telephone: 0114 2736753  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

Dear Sir

**THE PROTECTION OF CHILDREN FROM HARM (LICENSING ACT 2003):  
HK OFF LICENCE AND MINI MARKET, 66 CROOKES, SHEFFIELD S10 1UG**

Further to my visit to the above premises yesterday, which was also attended by Ms Marsden of South Yorkshire Police. I am writing to confirm the key points of our discussion and the advice issued verbally.

1. I informed you that I had made a visit to ensure that adequate safeguarding systems are now operating to prevent underage sales of alcohol to children and young people under the age of 18.
2. You confirmed that the Challenge 25 scheme operates. I observed 2 signs and that the refusals log is being maintained.
3. I advised you that you and your staff should ensure vigilance at all times and particularly over the coming festive period.
4. I note your comment that you believe an adult female has previously purchased alcohol from the shop and supplied it to young people under the age of 18. You said that you had asked the woman not to supply the alcohol to the children as she was purchasing the same goods as those which a young person had just attempted to buy and you had refused. I advised you that it is imperative that all cases of suspected proxy purchase sales, such as this, must be refused.
5. To assist you to prevent further proxy purchases, I enclose 4 posters which should be displayed and enforced.
6. I note your comment that you may need an interpreter for the Hearing and agreed to notify the Licensing Authority of this.

If you require further assistance please don't hesitate to contact me.

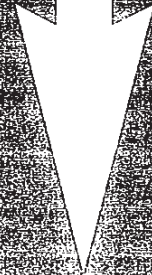
Yours sincerely

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

Cc Licensing Authority; South Yorkshire Police

**It is a criminal  
offence to buy  
alcohol on  
behalf of a child.**

**You could face a  
£5000 fine and  
imprisonment for  
up to 3 months.**



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Sheffield City Council Licensing  
Block C  
Staniforth Road Deport  
609 Staniforth Road  
Sheffield  
S9 3GZ

Date: 23<sup>rd</sup> December 2015

Dear Sir / Madam,

**Re: Licensing Review – HK Off License, 66Crookes, Sheffield**

Please find attached papers which are representation from South Yorkshire Police in relation to the current review submitted by Trading Standards.

Yours Sincerely

Cheryl Topham  
South Yorkshire Police Licensing Team  
Force Headquarters  
Carbrook House  
Carbrook Hall Road  
Sheffield  
S9 2EH

Tel – (0114) 2523163





**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

- and -

**HK Off License, 66 Crookes  
Mr Srinivas VANGOL (PLH/DPS)**

Respondent

**WITNESS STATEMENT OF**

**Cheryl Topham**

I am the Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, Sheffield. I have been in my current role as Licensing Enforcement Officer for South Yorkshire Police for approximately 4 months. I have been investigating an incident of underage sales at HK Off License, Crookes. In addition to this, I have made further enquiries of police records available to me in connection with these premises. The following matters have come to the attention of South Yorkshire Police.

- 1 On 16<sup>th</sup> February 2015, a legal highs/NPS Operation was conducted by Trading Standards, assisted by South Yorkshire Police Anti-Social Behaviour Team. A small quantity of New Psychoactive Substances (NPS) was found, most of which was hidden in clothing being worn by the owner. There were 20 packets in total. Also seized were 4 bottles of Gin with counterfeit labels suspected of being Non-Duty paid.

- 2 On 28<sup>th</sup> April 2015, a call was made to South Yorkshire Police saying HK Off License were selling legal highs and it is attracting persons who are then drug dealing in the area. – See statement by PC Donna SAMBROOK
- 3 On 14<sup>th</sup> May 2015, a report was submitted in relation to a group of males waiting for HK Off License to open, even though there was another one close by already open. – See statement by PC Donna SAMBROOK
- 4 On 20<sup>th</sup> May 2015, a report was submitted in relation to drug dealing and a connection to HK Off License. – See statement by PC Donna SAMBROOK
- 5 On 19<sup>th</sup> June 2015, a call was made to South Yorkshire Police by a lady stating her daughter had been caught smoking legal highs which she later admitted were bought from HK Off License. – See statement by PC Donna SAMBROOK
- 6 At 21:24 on 20<sup>th</sup> November 2015, an incident was reported to South Yorkshire Police by Yorkshire Ambulance Service. They were attending to two male youths who were unconscious at a party due to drinking alcohol which was later disclosed as being bought from HK Off License. It had been smuggled into the party so adults there were not aware they were drinking. Police Officers attended to assist Ambulance Service and to disperse the youths from the venue – See PC 1452 England
- 7 On 26<sup>th</sup> November, an incident was reported by a concerned mother who's 14 year old son and his three friends had purchased alcohol from HK News on 20<sup>th</sup> November. Her son had been hospitalised due to drinking this alcohol. Her son was one of those taken by ambulance. I made further enquiries by telephoning the concerned mum and speaking to her about their experience. She was very upset about what had happened and said this was the first time her son had ever been to a party. She told me when she arrived at Childrens Hospital her son was in a bad way. The medical staff told her that if he hadn't been found when he was or he had more to drink then there may have been a fatality. He had to stay in

hospital overnight and was discharged the following day. She expressed how angry she was that her son had been made so ill by drinking alcohol purchased by a 15 year old. See Statement of her son.

- 8 On 4<sup>th</sup> December 2015, Myself and Julie Hague of Sheffield Safeguarding Children Board attended the venue where the party had been held to meet with the manager. She stated she took the booking for a joint 16 year olds birthday party for 20<sup>th</sup> November 2015 from 1900-midnight but it was solely for room hire. She did not provide any bar/food/entertainment. The parents of the 16 year olds attended to book the venue and said there would be no more than 80 young people and plenty of adults supervising. They brought their own buffet and soft drinks. The manager was in the back office when the guests were arriving. She came out of the office at approx. 2030. She noticed a boy aged approx. 15 years sat on a sofa holding a half drank bottle of spirits. She then saw a few more boys all stood holding cans of lager. When she asked these young people where they had got the alcohol from one of them replied "we were told to bring booze". She was told that on the FaceBook invite it stated "COME PRE-LOADED AND BRING YOUR OWN BOOZE". She also noticed there were only three adults there supervising these children. The manager then saw a pile of rucksacks in the corner. On looking through these bags she found a large quantity of alcoholic drinks. She then confiscated these bags, took the alcohol out and put it somewhere safe, and gave them back the empty rucksacks. It was at this point she made the decision to terminate the party. It was approx 2105 when she saw a male sat on the floor and looked asleep. He was actually unconscious due to excess alcohol. The ambulance was called by one of the adults who was present. After the first ambulance arrived, the second boy was found in the toilet. He too was unconscious due to excess alcohol. A second ambulance was then called

- for. The ambulance staff also requested police attendance due to the amount of young people having drunk alcohol and needing to be dispersed safely.
- 9 At 1420 on Wednesday 9<sup>th</sup> December 2015 I attended HK Off License along with Benita Mumby, Licensing Manager, for the sole purpose of viewing and downloading his CCTV from the 20<sup>th</sup> November. On my arrival I noticed the review paper was posted on the window grill so knew they were aware of the current action. I was greeted by Mr VANGOL who told me his CCTV wasn't working and hadn't been for approx. 3 weeks. I explained that this was a breach of his License Condition. He told me an engineer was coming out the next day to fix it. I asked why he hadn't had it fixed before now and he replied "I didn't have the money to do it". I advised I would be back after 11am on Friday 11<sup>th</sup> December and if the CCTV wasn't working then I would be attending with a Police Officer to issue a Section 19 closure notice.
- 10 At 1120 on Friday 11<sup>th</sup> December 2015 I attended HK Off license with my colleague Linsey Fletcher, Licensing Clerk. I was greeted by Mr VANGOL who showed me his CCTV and it was in working order. He said the engineer had been just after I left on Wednesday 9<sup>th</sup> December. However, he told me he did not have the footage from 20<sup>th</sup> November due to this being the period when his CCTV was not working. He asked why I needed the CCTV to which I explained there had been a further complaint in relation to underage sales. He brought me to the attention of his Refusals log which did appear to have many entries. I explained he would need to keep this book as he may want to produce it at the License Review Hearing.
- 11 At approx. 1340 on Monday 21<sup>st</sup> December 2015 my colleague, Andrea Marsden, attended the premise along with Julie Hague, Sheffield Safeguarding Childrens Board. Present at the shop was Mr Vangol and Mr Singh (a new potential buyer of the business). Mr Singh operated the CCTV and Andrea was happy that it was

i working. Mr Singh stated he was aware the License was under review and stated he wouldn't be completing on the purchase until this issue was resolved. Julie Hague was there to ascertain age verification policy and training procedures.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed... C-J. Topham .....

Dated... 30/12/15 .....

**IN THE**

**MAGISTRATES COURT**

**BETWEEN**

**SOUTH YORKSHIRE POLICE**  
**and**  
**HK Off Licence and Mini Market**

---

**WITNESS STATEMENT OF**  
**PC DONNA SAMBROOK**

---

1. I am a Police Constable in the South Yorkshire Police currently stationed at Attercliffe Police station in Sheffield. My role involves investigating antisocial behaviour across Sheffield and Partnership working.
2. I have reviewed intelligence and information held on South Yorkshire Police systems, regarding HK Off Licence and Mini Market, 66 Crookes, Sheffield, S10 1UG. I can confirm there are a number of intelligence reports and incidents regarding the premises and the sale of legal highs.
3. I prepare the below chronology from the information held on South Yorkshire Police computer systems.
4. An incident was reported on Friday 19<sup>th</sup> June 2015, that the informants daughter had been purchasing legal highs from the premises for the last six months. There were several Asian males that worked at the location. They were opening the standard packets of legal highs and placing the substances into "clear baggies" then adding some other substance to it. When people are purchasing they have been told to ask for "clear baggies" or "baggies". They have been told that if they wish to purchase this they must buy it outside the shop because they will be captured from the shops CCTV. Her daughters behaviour had become erratic since taking the substance. The informant had informed Trading Standards reference number 12892440.
5. Anonymous information received on Wednesday 20<sup>th</sup> May 2015, that two Asian males had been seen selling drugs on School Road, junction of Crookes, Sheffield. They are using the bench outside the Post Office and the bus stop outside the Noah's Ark Public House. They are dealing from 11am onwards throughout the day and night. Once the males have made a deal they go into HK Off Licence.

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6. At 15:00hrs on Thursday 14<sup>th</sup> May 2015, two South Yorkshire Police, PCSO's observed 6 males stood outside HK Off Licence. The shop was closed at the time and despite there being another Off Licence next door, the males waiting for HK Off Licence to re-open. One adult male was stopped and his details obtained.
  
7. An incident was reported on Tuesday 28<sup>th</sup> April 2015 that a witness had seen the shopkeeper from HK Off licence selling legal highs outside the shop on the public footpath. People have been seen on foot and vehicles turn up outside the shop, the shopkeeper comes out from the shop and sells legal highs. This is happening on a daily basis.

I believe the facts stated in this witness statement to be true and understand it may be used in Court.

Signed O. Sambrook PC1734

Dated 21/12/2015

**RESTRICTED (when complete)**

**WITNESS STATEMENT**

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN 

--	--	--	--

Statement of **PC Scott England** .....

Age if under 18 Over 18 n/a (If over 18 insert "over 18") Occupation: **Police Officer 1452**

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature ..... Date: **07.12.15**

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Constable within South Yorkshire Police, and I am currently stationed at Woodseats Police Station, Sheffield.

On 20 November 2015 at approx. 2130 hours I was on duty and in company with PC 1490 Fox-Johnson.

We were at [REDACTED]

As we approached the premises we were approached by a frantic St Johns ambulance man who said it was "all kicking off in there". Inside the club was all quite calm, there were around 100 youths inside. There was no aggressive behaviour, no fighting and no public order issues. They were already exiting the venue.

I spoke to the landlady who told me that there was an <sup>16</sup>18 year old birthday party but this had been gate-crashed because it had been advertised by one of the attendees on Facebook.com. She said that some of these youths who turned up brought alcohol. When she discovered this she ended the party and asked everyone to leave.

There were two children who were laid on the floor these were being tended to by ambulance staff.

Once the venue was under control I along with other officers resumed.

Signature: ..... Signature Witnessed by: .....



WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: [redacted] [redacted]

Age if under 18: 15 yrs (if over 18 insert 'over 18') Occupation: Schoolboy

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [redacted] [redacted] [redacted] Date: 9/12/15

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

I am the above named person and I live at the address overleaf.

On Friday 20th November 2015 I was at school with some of my friends. We had decided to go to a party later that evening, and buy some alcohol. Two of those friends are 14 years and one is 15 years. We are all in Year 10 at school.

We decided to meet up after school to go to an off-licence to buy some alcohol for the party. The off-licence is on the main road, and my friend has been into the shop a few times and bought alcohol from there before. We went up to Crookes to that particular shop because we knew we would be able to get served. The week before that we had been up to the same shop and had a beer each. The friend who went in, whilst I waited outside, is called [redacted].

He asked if we had could get the alcohol for cheap because he would be coming back.

Signature: [redacted] [redacted] Signature witnessed by: [Signature]

Andrew Young Person

Continuation of Statement of [redacted]

Page No. 2 of 5

the next week to get a lot of alcohol. The man in the shop gave him the alcohol for cheap. [redacted] went in to do the buying because he looks [redacted] vs. [redacted] has previously told the shop keeper that he is in university, so he gets served. A lot of the parties [redacted] goes to are with Taphan students, and [redacted] said some Taphan students had been banned from the shop for stealing from there. When we got up there I was stood about 50 metres away whilst [redacted] and another friend [redacted] went into the shop. We had put £10 each into a bag together, so [redacted] could buy all the alcohol. I saw [redacted] walk into the shop and when he came out again he gave me the bag with the alcohol in it. Altogether he bought four large cans of Carlsberg "Special Brew", and three large cans of "Desperado" - larger with tequilla in it. These cans are the same size as the big "Monster" energy drinks cans. There were also ten bottles of "Desperado" and also a large bottles of "Captain Morgan's rum" which I believe is 3.5l. post UK is Captain Morgan Original Spiced Gold, and also a small bottle of "Glen's Vodka".

Signature: [redacted]

Signature witnessed by: [Signature] Andrew Young

Continuation of Statement of: [redacted]

The plan had been to buy whiskey, but when [redacted] went into the shop, the person in the shop said that it would be cheaper, and he would get more alcohol for his money if they he bought the rum.

We went back to my friends house afterwards where we got ready to go out to the party. We got the alcohol out and I took two pictures of it. I have sent an electronic copy of this image to Pc Andrew Young. I sent this at 4.50 pm today, Wednesday 9th December 2015.

[redacted] said that every time he goes into the shop the guy who sells to him seems "off his head", like he's high on legal highs or something.

[redacted] and [redacted] had to go into town to buy a shirt so that is why he gave me his bag.

I have looked at the shop on my phone, and it was HK News on Crookes, which is on the corner with Coome Road.

I stood on the opposite side of road to the shop, outside St Thomas' church. We went to the shop at about 3.30 pm. After we had been at my mates for a couple of hours, [redacted] mum came up to

Signature [redacted]

Signature witnessed by: [Signature] Andrew Young

Continuation of Statement of: [redacted]

bring him some clothes. She offered us a lift, and took us down to the party, which was at [redacted]

We got there a bit early, about 7.30pm or 7.45pm, so there weren't many people there. When a few of my other mates arrived we went outside with the bottle of Captain Morgans Rum. There were about 7 of us, and we passed the bottle around between us. Me and [redacted] were drinking the most and we were downing it.

I went back inside and it suddenly hit me. The last thing I can remember is going into the toilet. I was sitting down in the toilets when I passed out.

An ambulance had to come out because I was out of it with drink.

Another friend of mine, who I had been drinking with, collapsed on the dance floor. I threw up loads of beer. I was taken into hospital where I was in such a bad way that I was kept in the Sheffield Childrens hospital overnight.

The staff at hospital had said that if I hadn't come into hospital I might have died. I was shaking violently with cold, and was

Signature: [redacted] Signature witnessed by: *E Kerri*  
Andrew Young PC234

Continuation of Statement of: [redacted]

unresponsive, even to light being shined in my eyes. I was at risk of hypothermia, they had to try to raise my body temperature by pumping hot air around my body.

It Not having drunk much before I wasn't sure how strong it was. I didn't know how much it would affect. It happened within the space of about 40 minutes.

It could have been so much worse. I am thankful that a lad I didn't know found me and helped me. If I hadn't been found then it could have been so much worse. It was my first party and I could have enjoyed it more if I hadn't drunk as much.

Signature: [redacted]

Signature witnessed by: [Signature] Andrew Young P2134



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**Hollis Georgina (CEX)**

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**From:** [REDACTED] <[REDACTED]@[REDACTED]>  
**Sent:** 31 December 2015 11:49  
**To:** Hollis Georgina (CEX)  
**Subject:** RE: 66 Crookes Review Comments

I don't mind you can publish my detail and views. Thanks [REDACTED]

---

**From:** [Georgina.Hollis@sheffield.gov.uk](mailto:Georgina.Hollis@sheffield.gov.uk)  
**To:** [REDACTED]@[REDACTED]  
**Subject:** RE: 66 Crookes Review Comments  
**Date:** Wed, 16 Dec 2015 17:28:40 +0000

Dear [REDACTED],

In relation to your comments, I will investigate the matters that you have brought to my attention.

However, as there is currently an application to review the premises licence in consultation, and you wish to remain anonymous, the below matters will not be taken into consideration you are not wanting your details to remain anonymous for your own safety reasons.

Representations relating to any application made under the Licensing Act must be publicised and as part of the objection process, objectors must leave details of their name and address in order for a representation to be valid.

Should you decide that you wish to change your representation and would like your representation to be heard at the Licensing Sub-Committee, you must notify me before 1<sup>st</sup> January 2016.

Should you wish to discuss my email or any other matter, please do not hesitate to contact me on the number below.

Kind Regards

Georgina

---

**Georgina Hollis**

Licensing Enforcement & Technical Officer

Licensing Service

Business Strategy & Regulation

Block C, Staniforth Road Depot

Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264

Fax: 0114 2734073

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

[www.sheffield.gov.uk](http://www.sheffield.gov.uk)

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Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998 P



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**From:** [redacted] [mailto:[redacted]@redacted]  
**Sent:** 16 December 2015 13:15  
**To:** licensingservice  
**Subject:** 66 Crookes Review Comments  
**Importance:** High

I would like to make comments on the following premises license review, please do not disclose my details on your website or to any person.

Re: H.K Off License 66 Crookes S10 1UG

- 1) Previous operator has sold the shop last Sunday
- 2) Previous owner asked me to be a witness regarding sale of the business (which I refused and advised him to hire solicitors)
- 3) He sold the shop to one of his part time employee on last Sunday 13-12-2015
- 4) According to my information ha has not obtained the license to sell alcohol.
- 5) Since that shop opened we have seen anti social behavior by the kids, and other drug users last night on 15-12-15 someone broke the window of my customer and
- 6) We get rough people just come into the shop and some time just looking at the shelves buy nothing, and just in chance for shop lifting.
- 7) Some time young kids gather around and stop my customers asking them to buy cigarettes for them.
- 8) One of my customer bought the vodka of him and it was fake vodka when he tasted, he returned the vodka to him ( I can supply the name of the customer and address if you like)

Thanks

Please Note, do not publish or disclose my details to any one keep these comments as anonymous.

[redacted]  
[redacted]  
[redacted]

Sheffield  
S10 [redacted]

# Appendix C

Hearing Notices

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

Mr Srinivas Vangol

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> December 2015 received an application for a review of Premises Licences in respect of premises known as HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG.

During the consultation period the Council has received representations from Sheffield Safeguarding Children's Board, South Yorkshire Police and a member of the public.

The Council now GIVES YOU NOTICE that the review 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 the **26<sup>th</sup> January 2016 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

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

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

- 1) Your response to the application for review, 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 the application made for review the Premises Licence.

**You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 4<sup>th</sup> January 2016

Signed \_\_\_\_\_  
The officer appointed for this purpose

Please address any communications to:

The Licensing Service  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot,  
Staniforth Road,  
Sheffield,  
S9 3HD.

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

David Palmer  
Sheffield Trading Standards  
[David.Palmer@sheffield.gov.uk](mailto:David.Palmer@sheffield.gov.uk)

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> December 2015 received an application for a review of Premises Licences in respect of premises known as HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG.

During the consultation period the Council received representations from Sheffield Safeguarding Children's Board, South Yorkshire Police and a member of the public.

The Council now GIVES YOU NOTICE that the review 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 the **26<sup>th</sup> January 2016 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

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

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

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

**You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 4<sup>th</sup> January 2016

Signed   
The officer appointed for this purpose

Please address any communications to:

The Licensing Service  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot,  
Staniforth Road,  
Sheffield,  
S9 3HD.



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

South Yorkshire Police  
[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> December 2015 received an application for a review of Premises Licences in respect of premises known as HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG.

During the consultation period the Council received representations from Sheffield Safeguarding Children's Board and a member of the public.

The Council now GIVES YOU NOTICE that the review 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 the **26<sup>th</sup> January 2016 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

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

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

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

**You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 4<sup>th</sup> January 2016

Signed   
The officer appointed for this purpose

Please address any communications to:

The Licensing Service  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot,  
Staniforth Road,  
Sheffield,  
S9 3HD.

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

Julie Hague  
Licensing Project Manager  
Sheffield Safeguarding Children Board

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> December 2015 received an application for a review of Premises Licences in respect of premises known as HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG.

During the consultation period the Council received representations from South Yorkshire Police and a member of the public.

The Council now GIVES YOU NOTICE that the review 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 the **26<sup>th</sup> January 2016 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

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

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

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

**You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 4<sup>th</sup> January 2016

Signed   
The officer appointed for this purpose

Please address any communications to:

The Licensing Service  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot,  
Staniforth Road,  
Sheffield,  
S9 3HD.

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

Mr [REDACTED]  
[REDACTED]@[REDACTED]

The Sheffield City Council being the licensing authority, on the 4<sup>th</sup> December 2015 received an application for a review of Premises Licences in respect of premises known as HK Off Licence & Mini Market, 66 Crookes, Sheffield, S10 1UG.

During the consultation period the Council received representations from South Yorkshire Police, Sheffield Safeguarding Children's Board and a member of the public.

The Council now GIVES YOU NOTICE that the review 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 the **26<sup>th</sup> January 2016 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

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

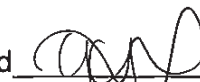
The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

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

**You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 4<sup>th</sup> January 2016

Signed



\_\_\_\_\_  
The officer appointed for this purpose

Please address any communications to:

The Licensing Service  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot,  
Staniforth Road,  
Sheffield,  
S9 3HD.

**Right of attendance, assistance and representation**

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

**Representations and supporting information**

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

**Failure of parties to attend the hearing**

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

**Procedure at hearing**

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





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

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

I

Of

hereby confirm that I have received the Notice of Hearing dated **4<sup>th</sup> January 2016** and notify you as follows **(please complete)**:

- I intend to attend the hearing at 10.00am on Tuesday 26<sup>th</sup> January 2016.
- I do not intend to attend the hearing
- I intend to be represented at the hearing by: .....
- I do not intend to be represented at the hearing by:.....
- I consider the hearing to be unnecessary because: .....  
.....
- I request that .....should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

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

**Please see Regulation 8 overleaf**

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

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# Appendix D

Regulations / Procedures



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

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

**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.