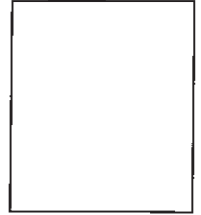




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 27th June 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

The Bloomery Nile Street Sheffield S10 2PQ

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

Background Papers: Attached documents

Category of Report: OPEN

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

Ref No 75/17

The Bloomery (Stonegate Pub Co Ltd) Nile Street Sheffield S10 2PQ

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

2.1 The applicant is Stonegate Pub Company Limited.

2.2 The application, which was received on 2nd May 2017, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing.

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

3.0 REASONS FOR REFERRAL

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

1 Public

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

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

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

6.3 Attached at Appendix 'E' is the following: -

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

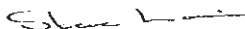
8.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with conditions.

9.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

20th June 2017

Appendix A

The Application

A1

Sheffield City Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

Premises licence number SY 1476 PR
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Bloomery Nile Street Broomhill			
Post town	Sheffield	Post code	S10 2PQ

Telephone number at premises (if any)	0114 2671157
Non-domestic rateable value of premises	£68,500.00

Part 2 – Applicant details

Daytime contact telephone number	08451262944		
E-mail address (optional)			
Current residential address if different from premises address	Porter Tun House 500 Capability Green		
Post Town	Luton	Postcode	LU1 3LS

Part 3 - Variation

Please tick yes

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

If not, from what date do you want the variation to take effect?

Day	Month	Year

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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

1. To extend the terminal hour for films, indoor sporting events, live music, recorded music, performance of dance, sale of alcohol to 00:00 (midnight) on Sunday.
2. To extend the terminal hour for late night refreshment to 00:30 on Sunday.
3. To extend the opening hours to allow the premises to close at 00.30 hours on Sunday
4. To extend the start time for opening hours and films to start from 07:00 hours Monday to Sunday (including standard and non-standard timings) to allow for breakfast opening.
5. To remove obsolete conditions and amend one condition on the Premises Licence following consultation and agreement the Environmental Health Officer, as detailed in the application submitted to the Licensing Authority.
6. To amend and add additional non-standard timings on notable days, as detailed in the application submitted to the Licensing Authority.

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please read guidance note 3)

Please tick all that apply

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

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(if ticking yes, fill in box H)

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

A4

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	07:00	No change	Please give further details here (please read guidance note 5) As existing.	Both	<input type="checkbox"/>
Tue	07:00	No change			
Wed	07:00	No change	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur	07:00	No change			
Fri	07:00	No change	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7) To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below: "An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day. An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."		
Sat	07:00	No change			
Sun	07:00	00:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5) As existing.
Day	Start	Finish	
Mon	No change	No change	State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue	No change	No change	
Wed	No change	No change	
Thur	No change	No change	<p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)</p> <p>To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below:</p> <p>"An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."</p>
Fri	No change	No change	
Sat	No change	No change	
Sun	No change	00:00	

AG

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)	
Mon	No change	No change	As existing.	
Tue	No change	No change		
Wed	No change	No change	State any seasonal variations for the performance of live music (please read guidance note 6)	
Thur	No change	No change	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)	
Fri	No change	No change		
Sat	No change	No change		
Sun	No change	00:00	<p>To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below:</p> <p>"An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."</p>	

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F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)	
Mon	No change	No change	As existing.	
Tue	No change	No change		
Wed	No change	No change	State any seasonal variations for the playing of recorded music (please read guidance note 6)	
Thur	No change	No change		
Fri	No change	No change	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat	No change	No change		
Sun	No change	00:00	<p>To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below:</p> <p>"An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."</p>	

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon	No change	No change	Please give further details here (please read guidance note 5) As existing.	Both <input type="checkbox"/>
Tue	No change	No change		
Wed	No change	No change	State any seasonal variations for the performance of dance (please read guidance note 6)	
Thur	No change	No change		
Fri	No change	No change	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7) To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below: "An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day. An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."	
Sat	No change	No change		
Sun	No change	00:00		

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)	
Mon	No change	No change	As existing.	
Tue	No change	No change		
Wed	No change	No change	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)	
Thur	No change	No change		
Fri	No change	No change	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)	
Sat	No change	No change		
Sun	No change	00:30	<p>To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below:</p> <p>"An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."</p>	

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	No change	No change.	<p>State any seasonal variations for the supply of alcohol (please read guidance note 6)</p> <p>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)</p> <p>To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below:</p> <p>"An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."</p>	Both	<input type="checkbox"/>
Tue	No change	No change.			
Wed	No change	No change.			
Thur	No change	No change.			
Fri	No change	No change.			
Sat	No change	No change.			
Sun	No change	00:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

No change

All

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	07:00	No change.	
Tue	07:00.	No change.	
Wed	07:00.	No change.	
Thur	07:00	No change.	
Fri	07:00.	No change.	
Sat	07:00	No change.	
Sun	07:00	00:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) To add non-standard timings and reword the existing non-standard timings for New Year's Eve to New Year's Day, as detailed below: "An additional hour to the terminal hour on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holidays, Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day. An additional hour to the standard and non-standard timings on the day when British Summer Time commences. New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."

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

To remove conditions 4, 11 and 12 under annex 2 as these are outdated, obsolete or already covered under other existing legislation.

To remove condition 1 under Annex 3 and replace it with an updated condition as detailed in the operating schedule below, following consultation and agreement with the Environmental Health Officer.

- Please tick yes
- I have enclosed the premises licence
 - I have enclosed the relevant part of the premises licence

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

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

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

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

[The information provided in this box is solely for information only and not intended to be converted into conditions on the licence]

We have considered the impact of the proposed variation which seeks primarily to extend the terminal hour for licensable activities to midnight on Sundays. We are also extending opening hours and films only to start from 07:00 for breakfast opening, removing obsolete conditions and amending a condition as to the beer garden following consultation and agreement with the Environmental Health Officer as well as adding additional non-standard timings for notable days, following consultation with the Police Licensing Officer.

Given the changes proposed, the applicant has carefully considered the application, the effect on the licensing objectives and the Council's Licensing Policy. In particular, the applicant notes that the premises falls within Sheffield Council's areas nearing levels of stress (Broomhill). I note that however this is a licensed with food and drink offer and not a 'late night refreshment premises' which is referred to as the 'reason for concern' in Broomhill within the Council's Policy. Additionally, the applicant is not making an application for a new premises licence but a specific variation of an existing licence primarily with regards to Sunday timings for licensable activities and opening hours. Steps have been taken to ensure that the application and proposed operation will continue to promote the licensing objectives. In particular, we have been in close contact and undertaken pre consultation regarding the extension of hours proposed with the Police Licensing Officer (Tracey Klein and Lucy Adams) and the Environmental Health Officer (Bob Singh) and also the Licensing Authority prior to submission of the application. Their comments have been taken into account in considering and submitting this application.

The applicant believes the hours sought and amendments to conditions requested, coupled with the existing measures in place are unlikely to have an adverse effect on the licensing objectives nor add to public nuisance or additional crime, disorder and antisocial behavior in the area.

The purpose for seeking later hours on Sunday is to allow our customers, who want to continue their night in a safe and comfortable environment, to do so, rather than leave and go to another premise. Extending the terminal hour for licensable activities by one additional hour to midnight on Sundays will prevent double migration of customers leaving our premises and then entering other premises later on. The applicant feels the extension of the terminal hour for licensable activities and opening hours will ensure customers can stay in a well-managed, controlled and supervised environment premises for longer, if they wish, and that the later hours will allow a longer wind down period and a more gradual dispersal of customers from the premises, which can be managed and contained, reducing impact on the area and licensing objectives by a mass dispersal at any one time. This understanding reflects the Council's licensing policy with regards to licensing hours which states that, "We recognise that the best cities in the world offer a wider variety of choices around night time leisure uses, including later opening hours where this is appropriate."

We also note Stonegate Pub Company Ltd is a well experienced licensed operator with nearly 700 sites across the country, and have in place an extensive licensing manual detailing both company policies, appropriate across the whole estate, along with procedures in place at a local level to ensure the premises operates to the highest standard and promotes the licensing objectives. These include policies regarding social responsibility and underage sales, which promote responsible drinking and discourage drunkenness, as well as procedures to prevent crime and disorder, and public nuisance. The robust policies and procedures that are already in place will continue to operate, if the application is granted.

A13

Considering the above, we believe the variation application will not undermine the licensing objectives. The applicant believes that the existing measures in place, which will continue to be in place, will ensure the premises continue to promote the licensing objectives and the existing measures are adequate and further conditions are not appropriate

b) The prevention of crime and disorder
Please see box a) above and the existing Operating Schedule.

c) Public safety
Please see box a) above and the existing Operating Schedule.

d) The prevention of public nuisance
Please see box a) above and the existing operating schedule. In addition, the following new condition is proposed in the event that the application sought is granted:-
1. In the outside area of the premises (beer garden), consumption of alcohol is restricted to a terminal hour of 22:30 Sunday; 23:00 Monday to Thursday; 00:00 (midnight) Friday and Saturday.

e) The protection of children from harm
Please see box a) above and the existing Operating Schedule.

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

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

Part 5 – Signatures (please read guidance note 12)

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

A14

Signature	<i>[Handwritten Signature]</i>
Date	28 April 2017
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Suraj Desor Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349 183		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
s.desor@popall.co.uk			

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on

AB

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

A17

McConaghy Julianne

From: Suraj Desor <s.desor@popall.co.uk>
Sent: 29 April 2017 16:12
To: licensingservice
Subject: Request Acknowledgement - Amended Page, Variation Application Submitted-
Bloomery Sheffield
Attachments: Amended Page 2 Bloomery Sheffield Variation Application.doc
Importance: High

Dear Sir/ Madam

I write further to the Variation of Premises Licence Application we submitted online yesterday, Friday 28 April.

I note that Page 2 of the application form has a typographical error referring to late night refreshment in point 1 in the Part 3 box. I attach the amended page 2 which shows the removal of this for your reference and information.

I would be grateful if you would acknowledge receipt of this email and the Amended page 2.

I trust that this is acceptable, however if you need anything further or have any queries as to this, please contact me.

Kind regards

Suraj Desor

Suraj Desor | Solicitor

Poppleston Allen

E: s.desor@popall.co.uk | T: 0115 9349 183 | M: 07880 382 193 | W: www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



Announcing Virtual Pub

You can now learn how to spot and solve common licensing problems with this simple free training video.

Watch our new video!

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This email and the attachments are intended for the above named persons only and may be

A18

Part 3 - Variation

Please tick yes

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

If not, from what date do you want the variation to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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

1. To extend the terminal hour for films, indoor sporting events, live music, recorded music, performance of dance, sale of alcohol to 00:00 (midnight) on Sunday.
2. To extend the terminal hour for late night refreshment to 00:30 on Sunday.
3. To extend the opening hours to allow the premises to close at 00.30 hours on Sunday
4. To extend the start time for opening hours and films to start from 07:00 hours Monday to Sunday (including standard and non-standard timings) to allow for breakfast opening.
5. To remove obsolete conditions and amend one condition on the Premises Licence following consultation and agreement the Environmental Health Officer, as detailed in the application submitted to the Licensing Authority.
6. To amend and add additional non-standard timings on notable days, as detailed in the application submitted to the Licensing Authority.

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please read guidance note 3)

Please tick all that apply

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

A19

Sheffield City Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

Premises licence number SY 1476 PR

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
The Bloomery
Nile Street
Broomhill
Post town Sheffield Post code S10 2PQ

Telephone number at premises (if any) 0114 2671157
Non-domestic rateable value of premises £68,500.00

Part 2 – Applicant details

Daytime contact telephone number 08451262944
E-mail address (optional)
Current residential address if different from premises address Porter Tun House
500 Capability Green
Post Town Luton Postcode LU1 3LS

A20

Part 3 - Variation

Please tick yes

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

If not, from what date do you want the variation to take effect?

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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

1. To extend the terminal hour for films, indoor sporting events, live music, recorded music, performance of dance, sale of alcohol and late night refreshment to 00:00 (midnight) on Sunday.

2. To extend the terminal hour for late night refreshment to 00:30 on Sunday.

3. To extend the opening hours to allow the premises to close at 00.30 hours on Sunday

4. To extend the start time for opening hours and films to start from 07:00 hours Monday to Sunday (including standard and non-standard timings) to allow for breakfast opening.

5. To remove obsolete conditions and amend one condition on the Premises Licence following consultation and agreement the Environmental Health Officer, as detailed in the application submitted to the Licensing Authority.

6. To amend and add additional non-standard timings on notable days, as detailed in the application submitted to the Licensing Authority.

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

N/A

Part 4 Operating Schedule

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

- Provision of regulated entertainment** (Please read guidance note 3)
- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Appendix B

Current Premises Licence



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

Tel: 0114 273 4264
E-mail: licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk/licensingact
Date: 3rd November 2016

M Peach
Popleston Allen
37 Stoney Street
The Lace Market
Nottingham
NG1 1LS

Dear Madam,

Licensing Act 2003: Amendment to licence regarding removal of Performance of Dance
Premises: The Bloomery (FKA Place), Nile Street, Sheffield, S10 2PQ
Premises Licence Number: SY 1476 PR

I enclose:

- a) **the updated premises licence;** and
 - a) **the updated premises licence summary**
- for the above named premises.

Please check both documents carefully, including all attached papers, and ensure that all details are correct. If they are not, please contact us immediately.

Please also be aware of the following:

- The original (or a certified copy) of the *entire* **premises licence** must be kept on the premises and available for inspection at all times. This includes any annexes, appendices & other related documents.
- The original (or a certified copy) of the **premises licence summary** must be prominently displayed at the premises.
- Failure to comply with any conditions attached to a licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.

You must inform the Licensing Authority if you wish to do any of the following:

- Vary the licence;
- Vary the Designated Premises Supervisor (DPS) named on the licence;
- Transfer the licence; or
- Surrender the licence.

You must also inform us if the premises licence holder or DPS change their name or address.

Should you wish to make any changes to the licence, please contact us for the relevant forms or refer to the website for information at www.sheffield.gov.uk/licensingact. The

B2

original premises licence and premises licence summary must be returned for amendment and accompanied by the required fee (if applicable).

If the original premises licence or premises licence summary is lost or stolen, you must apply to the Licensing Service for a replacement licence, for which the prescribed fee is £10.50.

Finally, an annual fee is payable on this licence each year on the anniversary the licence was granted.

Please ensure you make a record of the date your annual fee is due.

**Your licence was granted on 24th November 2005
Your annual fee will be due each year on this date.**

Failure to pay the annual fee when it is due will lead to your licence being suspended.

Please contact me if you have any queries.

Yours faithfully

Julianne McConaghy
Licensing Analyst & Processing Officer
Enquiries to: **0114 2734264**
Enc.

THE LICENSING ACT 2003



Premises Licence No: SY 1476 PR

ISSUE NO: 17

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

PART 1 – Premises details

The Bloomery
Nile Street
Sheffield
S10 2PQ

Telephone Number: 0114 2671157

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

1. Provision of regulated entertainment:

Films

Indoor Sporting Events

Live Music

Recorded Music

Performance of Dance

Indoors

Sunday	11:00 to 22:30 hours
Monday - Thursday	10:00 to 24:00 hours
Friday & Saturday	10:00 to 01:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

2. Late Night Refreshment:

Indoor

Sunday	23:00 to 23:30 hours
Monday - Thursday	23:00 to 01:00 hours the following day
Friday & Saturday	23:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 05:00 hours the following day

3. Sale by retail of alcohol:

a) for consumption on the premises

Sunday	11:00 to 23:00 hours
Monday - Thursday	10:00 to 24:00 hours
Friday & Saturday	10:00 to 01:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

B4

The opening hours of the premises are:

Sunday	11:00 to 23:30 hours
Monday - Thursday	10:00 to 01:00 hours the following day
Friday & Saturday	10:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

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

Sale by retail of alcohol for consumption on the premises.

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.

PART 2

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

Stonegate Pub Company Limited
Porter Tun House
500 Capability Green
Luton
Bedfordshire
LU1 3LS

Telephone Number: 0845 1262944

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

FCO29833

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

Kathie Muirhead
55 Lennox Road
Hillsborough
Sheffield
S6 4FN

B5

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: LEIPRS1407
Issuing Authority: Leicester City Council

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

Restricted

This Premises Licence shall be in force from the 24th November 2005.

Issued on: 2nd February 2006.



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

Sheffield City Council – For Office use only	
Variation of Premises Licence	No: 2 Issue Date: 21/08/2009
Variation of DPS	No: 11 Issue Date: 23/05/2016
Transfer of Premises Licence	No: 3 Issue Date: 16/08/2011
Minor Variation	No: 1 Issue Date: 01/09/2016
Change of Name/Address	

Annex 1A – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

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

Mandatory Condition 4 (Section 21)

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

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

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

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

- 1.—(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

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

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

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

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that—

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

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

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

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

Annex 2 – Conditions consistent with the operating schedule

1. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
3. Noise or vibration shall not emanate from the premises so as to cause nuisance to nearby properties.
4. The maximum occupancy of the building (including staff and performers) will be restricted to 350 persons.
5. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within reasonable time upon request by the police.
6. Where necessary to liaise with the environmental health department to restrict noise pollution in residential areas.
7. Persons under the age of 18 are not allowed at the premises after 22:00 unless they are accompanied by a responsible adult and attending a private function or dining.
8. All openable windows shall be kept shut whilst regulated entertainment is taking place. All fire doors must be kept closed except for access and egress.
9. All amplified music shall be connected to the in-house p.a. system except when the other p.a. system is in use. They shall be connected to power supply with RCD protection.
10. The licensee shall ensure a proactive approach as not to cause disturbances or nuisance to the neighbourhood.
11. When dancing is to take place on the premises (regulated entertainment), in an area not previously approved for dancing by the Authority, at least 14 days notice must be given to Environment and Regulatory Services (Health Protection Service) and the Licensing Authority, identifying the area to be used which should be adequate in size for its intended use as a designated dance floor, and dancing must not take place in that area unless approved by the Authority.
12. To comply with the reasonable requirements of the Health & Safety enforcing Officer.
13. CCTV to be installed to the standard set by South Yorkshire Police.
14. A copy of South Yorkshire Polices Violent Incident Protocol to be displayed within the premises in sight of staff. This protocol should also form part of staff training and training records to reflect such input
15. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises save for the use of authorised AWP machines and cigarette machines

B9

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

1. In the outside area of the premises (beer garden), the consumption of alcohol is restricted to a terminal hour of 10:30 pm each day.
2. That the sale of alcohol be restricted to sale for consumption on the premises or within the curtilage of the premises.
3. The management of the premises should liase with residents groups regularly.
4. Prominent clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

B10

Annex 4 – Plans

01-16-679 L1
01-16-679 L2

B12

Sheffield
City Council



LICENSING ACT 2003

Premises Licence Summary

ISSUE NO: 17

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

Premises licence number **SY 1476 PR**

The Bloomery
Nile Street
Sheffield
S10 2PQ

Telephone Number: 0114 2671157

Licensable activities authorised by the licence:

1. Provision of regulated entertainment:

Films

Indoor Sporting Events

Live Music

Recorded Music

Performance of Dance

Indoors

Sunday	11:00 to 22:30 hours
Monday - Thursday	10:00 to 24:00 hours
Friday & Saturday	10:00 to 01:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

2. Late Night Refreshment:

Indoor

Sunday	23:00 to 23:30 hours
Monday - Thursday	23:00 to 01:00 hours the following day
Friday & Saturday	23:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 05:00 hours the following day

3. Sale by retail of alcohol:

a) for consumption on the premises

Sunday	11:00 to 23:00 hours
Monday - Thursday	10:00 to 24:00 hours
Friday & Saturday	10:00 to 01:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

B13

The opening hours of the premises are:

Sunday	11:00 to 23:30 hours
Monday - Thursday	10:00 to 01:00 hours the following day
Friday & Saturday	10:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

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 on the premises.

Name, (registered) address of holder of premises licence:

Stonegate Pub Company Limited
Porter Tun House
500 Capability Green
Luton
Bedfordshire
LU1 3LS

Telephone: 0845 1262944

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

FCO29833

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Kathie Muirhead

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

Restricted

The Premises Licence shall be in force from 24th November 2005.

Issued on: 2nd February 2006.

BIS

Steve Lonnia

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

Appendix C

Objections
1 Public

Proctor Matthew

C/O

From: [REDACTED]
Sent: 29 May 2017 17:45
To: licensingservice
Subject: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann
Attachments: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann.pdf

Sheffield City Council licensing Service,
Ref

Stonegate Pub Company limited, The Bloomery, Nile Street, Sheffield S10 2PQ
Notice of application to vary a Premises Licence under Section 34 of the Licensing Act 2003.

Dear Sirs,
Please find attached our objection to the above application. It includes a concern that this application has not been posted on the Licensing Service Pending Applications List pdf.

Thanks...
Nielsen & Linda Kann

C2

To Sheffield City Council Licensing Service,
Block C, Staniforth Road Depot,
Staniforth Road, Sheffield,
S9 3H
Email: licensing@sheffield.gov.uk

Nielsen & Linda Kann

[REDACTED]
Broomhill

Sheffield [REDACTED]

E-mail: [REDACTED]

29th May 2017

**Ref: Stonegate Pub Company limited, The Bloomery, Nile Street, Sheffield S10 2PQ
Notice of application to vary a Premises Licence under Section 34 of the Licensing Act 2003.**

Dear Sirs,

We have an objection to the above application detailed below. We also note that **this application is not advertised (as of today, the day before the deadline) on the council's on-line Licensing Applications Pending Application List pdf** and has therefore left some application reference detail unavailable to us and left uncertainty. A phone call to the office last week did not help. I do not know whether this lack of process is an unlawful condition. Please review it. It is ironic that a community decision is not shared with the community. You may wish to update the list and extend the deadline to allow our and other on-line searches of concerned parties including prospective residents moving to the area. Unless you physically pass by the notice on the site, then how would you be aware of this application? We can't help you and you cannot help us!

Our primary concern is related to noise and disturbance of the peace of the neighbourhood as already being endured due to the fact that existing limiting conditions are not being observed or enforced and which would be made worse by the proposed extension of hours (shown in the applications points 1,2,3).

As an example: Friday 26th May. This was a warm night and resulted in a crowd with drinks gathering outside the pub spilling and on to the pavements. This was a disturbance of the peace. This was creating a horrendous noise for residents in the housing immediately facing the pub and for ourselves where the sound was echoing through to us on Newbould Lane. This noise continued throughout the Friday evening till 11.45pm.

Current conditions are being disregarded. Our understanding is that the current conditions do not allow drinks to be taken outside at any time, yet this is happening. Similarly we also understand that current conditions also stipulated that the external double doors should be kept closed at all times to contain noise, yet these doors are routinely fixed in an open position.

Other concerns. (Applications points 4, 5, and 6)

Extension of start time (Application point 4). As a recent ruling by the Secretary of State has overruled a council decision and has allowed for tables outside the pub until 6pm latest, then extending start time from 11am to 7am means the possibility of noise outside quite early in the morning, and since there is a large student population there is uncertainty about how severe or not that this may be particularly for the residents facing the pub.

What is the reference to standard and non-standard timings?

C3

To remove obsolete conditions (Application point 5). Is this literally *obsolete* or really undesirable for the applicant? We have no detail about what this might mean (it is not on the pending applications pdf). We would object to a reduction in previously well-thought-out conditions that may adversely impact our community.

To amend and add additional non-standard timings on notable days. (Application point 6). Similarly we have no detail about what these means and what its' impact might be.

Yours faithfully,
Nielsen & Linda Kann

From: Proctor Matthew on behalf of licensingservice
Sent: 30 May 2017 15:07
To: Teal Alison (GN CLLR)
Cc: Triandafillithis Julia; Lonnia Stephen (CEX)
Subject: RE: URGENT: Application to extend the license of The Bloomery, Broomhill
Attachments: Bloomery Variation.pdf

Hello Councillor Teal;

I can confirm that Nielsen and Linda Kann's representation was received by the Licensing Service on 29th May 2017 and will therefore be considered as part of the application. They will be contacted by an officer in due course with regard to their concerns, either with a view to resolving issues or with an invite to a hearing of the Licensing Sub Committee where they will be expected to expand upon and present evidence in support of their representation.

I am currently investigating the reasons behind the apparent omission of this application from the Council's website. I have no discretion to extend the representation period as it is prescribed in statute. Indeed, had the information been on the website, there would be no extended information on that site and the only way to fully understand the full basis of the application is to actually view the application at the Licensing Service reception.

Turning to your representation on behalf of Cllr Magid, I would be grateful if you would expand upon your reasons for the same. Any representation must address any of the four key licensing objectives, together with supporting evidence. The four licensing objectives are;

- Public Safety
- Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Protection of Children from Harm

As part of the application, several responsible authorities are consulted including South Yorkshire Police (for crime and disorder), the Council's Environmental Protection Service (Health and Safety and Noise Nuisance), Sheffield Safeguarding Children Board and also the Planning Service. I can tell you that at the time of writing this email that none of the responsible authorities have made any representations in respect of this application.

Please note that as it stands, your representation is not valid as it does not detail or evidence any risks to the key objectives. Should you wish to discuss matters further, please do not hesitate to contact me.

I attach a copy of the variation application for your use.

Regards

Matt

Matt Proctor
Senior Licensing Enforcement & Technical Officer,
Licensing Service,
Business Strategy and Regulation,

Sheffield City Council,
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD

C5

Telephone: 0114 273 4264

Email: matthew.proctor@sheffield.gov.uk
licensing@sheffield.gov.uk

www.sheffield.gov.uk

From: Teal Alison (GN CLLR)

Sent: 30 May 2017 11:52

To: licensing@sheffield.gov.uk; Lonnie Stephen (CEX)

Subject: URGENT: Application to extend the license of The Bloomery, Broomhill

Hello Stephen and Licensing

I am acting on behalf of Cllr Magid in his absence. I have received correspondence from residents in Cllr Magid's ward regarding the The Bloomery applying for an extended license.

The residents, Nielsen & Linda Kann of 38 Newbould Lane, Broomhill, S10 2PL, wish to lodge an objection to the extension of the license for The Bloomery, however, there does not appear to be an application reference number. It is also the case that the application is not listed on the council website in the usual way. They have wondered, quite rightly, how can interested parties know about the license application if they do not walk right past and spot the notice on a pole outside the building?

Today is the closing date for objections. I therefore wish to add an objection on behalf of Cllr Magid. It is important to ensure that the wider community around The Bloomery have an opportunity to be made aware of the application so that they have the chance to make an objection. Can you please extend the closing date of this application and ensure it is available to be viewed on the website as a part of the Licensing Applications pending list?

I would appreciate a response today confirming the extension of the period of time to lodge an objection, and also that the application is correctly listed by the council on the website to be viewed by the public.

Thank you

Best wishes, Alison

Cllr Alison Teal

07500 7654189

Alison.Teal@sheffield.gov.uk

Sheffield City Council

Town Hall

Pinstone Street

Sheffield City Council

S1 2HH

sent 1/6/17
CG

Triandafillithis Julia

From: Triandafillithis Julia
Sent: 01 June 2017 10:25
To: [REDACTED]
Cc: Proctor Matthew
Subject: FW: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann
Attachments: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann.pdf
Importance: High

Dear Mr & Mrs Kann,

I can confirm receipt of your representation, received 29/05/17;

I have been in contact with Bob Singh, Sheffield City Council Environmental Protection Officer (Noise Nuisance) regarding this application and I have discussed with him your objection. Bob is confident that the changes that Stonegate are applying for are not significant, and that Environmental Protection Service have no objections to this. He said that the Stonegate have every measure in place to comply with conditions to prevent noise disturbances. Bob Singh said that in the last 24 months no noise nuisance complaints had been received and he would happily discuss this with you if you wish to contact him, his mobile number is [REDACTED].

The solicitor that is dealing with this from Poppleston Allen Suraj Desor, also would like to speak to you to explain exactly what changes they are applying for. His telephone number is [REDACTED].

If after you discuss this with either Bob or the solicitor or both, you still wish to go ahead with your representation this will have to be heard by the Licensing subcommittee, you would be called upon to attend the subcommittee to put forward your concerns.

I hope we can resolve this matter to everyone's satisfaction.

Should you need any further information please do not hesitate to contact me.

Kind regards,

Julia

Julia Triandafillithis

Licensing Enforcement and Technical Officer

NEW

Pre-Application Advice & Consultancy Service
Do you need help with your application or just want it checking?

Then give us a call on 0114 273 4264

This new service starts on Monday 6th February 2017

6/6/17
C7

Triandafillithis Julia

From: Triandafillithis Julia
Sent: 06 June 2017 09:16
To: [REDACTED]
Subject: FW: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann
Attachments: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann.pdf
Importance: High

Dear Mr Mrs Kann,

I refer to my email below sent on the 1st of June 2017. None of the parties have been contacted by you regarding the attached representation. If we do not hear from you this will go to Licensing Subcommittee and you will be called upon to attend.

I would appreciate your urgency in this matter.

Kind regards,

Julia

Julia Triandafillithis
Licensing Enforcement and Technical Officer

NEW
Pre-Application Advice & Consultancy Service
Do you need help with your application or just want it checking?
Then give us a call on 0114 273 4264
This new service starts on Monday 6th February 2017

Licensing Service, Business Strategy & Regulation, Block C,
Staniforth Road Depot,
Sheffield,
S9 3HD

Telephone: 0114 27 34264

Email: julia.triandafillithis@sheffield.gov.uk or licensing@sheffield.gov.uk

Web: www.sheffield.gov.uk

From: Triandafillithis Julia
Sent: 01 June 2017 10:25
To: [REDACTED]
Cc: Proctor Matthew
Subject: FW: Licence objection Stonegate Pub Sheffield- May 2017- Mr & Mrs Kann
Importance: High

Dear Mr & Mrs Kann,

Appendix D

Hearing Notices / Regulations / Procedures



DI

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

Suraj Desor
Popleston Allen
37 Stoney Street
The Lace Market
Nottingham
NG1 1LS

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 2nd May 2017 received your application in respect of the premises known as;

The Bloomery Nile Street Sheffield S10 2PQ

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

1 Public

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday 27th June 2017 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 15th June 2017

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

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



D2

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

Nielsen & Linda Kann
[REDACTED]

Sheffield
[REDACTED]

Sent by e-mail to [REDACTED]

The Sheffield City Council being the licensing authority, on the 2nd May 2017 received an application in respect of the premises known as;

The Bloomery, Nile Street Sheffield S10 2PQ

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

1 Public

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday 27th June at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
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Dated: 15th June 2017

Signed: Clive Stephenson

The officer appointed for this purpose
Licensing Officer

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

NOTES

D3

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

Regulation 8

D4

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

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

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

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

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

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

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